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American Samoa

Working paper prepared by the Secretariat

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Note: The information contained in the present working paper has been derived from public sources, including those of the territorial Government, and from information transmitted to the Secretary-General by the administering Power under Article 73 *e* of the Charter of the United Nations. Information was transmitted by the administering Power on 16 December 2016. Further details are contained in previous working papers, available from www.un.org/en/decolonization/workingpapers.shtml.

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The Territory at a glance

Territory: American Samoa is a Non-Self-Governing Territory under the Charter of the United Nations. It is an unincorporated and unorganized territory of the United States of America, administered by the Office of Insular Affairs of the United States Department of the Interior.

Representative of administering Power: United States Department of the Interior, which has a representative resident on the ground[a]

Geography: Located in the South Pacific, approximately 3,700 km south-west of Hawaii and 4,350 km north-east of Australia. The Territory consists of seven islands: Tutuila and Aunuu, in addition to Ofu, Olosega and Ta'u (known as the Manu'a Islands) and the two coral atolls known as Rose Island and Swains Island.

Land area: 200 km²

Exclusive economic zone: 404,391 km²

Population: 60,200 (2016 estimate)

Life expectancy at birth: 75.9 years (women); 69.3 years (men)

Ethnic composition: Native Pacific Islander (92.6 per cent); Asian (3.6 per cent); white (0.9 per cent); other ethnic origin (2.9 per cent)

Languages: English, Samoan

Seat of Government: Fagatogo

Head of territorial Government: Governor Lolo Letalu Matalasi Moliga

Main political parties: Democrat, Republican

Elections: The most recent elections were held in November 2016 to elect the Governor and Lieutenant Governor, the delegate to the United States House of Representatives and 20 members of the American Samoa House of Representatives. The next elections are due to be held in November 2018 for the delegate to the United States House of Representatives and 20 members of the American Samoa House of Representatives and in November 2020 for the Governor and Lieutenant Governor.

Legislature: Fono (bicameral legislative assembly)

Gross domestic product per capita: $11,289 (2009 chained dollars; 2015 estimate)

Economy: Fishing and agriculture

Unemployment rate: 9.2 per cent (2012 estimate)

Monetary unit: United States dollar

Brief history: It is believed that the Samoan archipelago was settled some 3,000 years ago by people migrating from South-East Asia. The Dutch were the first Europeans to reach the islands, in 1722. The 1899 Treaty of Berlin, also known as the Anglo-German Samoa Convention, apportioned to the United States the eastern islands of the Samoan archipelago.

[a] Secretary's Order 2657 of 29 August 1951 and Secretary's Order 3009, as amended, of 3 November 1977, set forth the extent and nature of the authority of the Government of American Samoa and the manner in which the authority is to be exercised (see the Electronic Library of Interior Policies, United States Department of the Interior).

I. Constitutional, legal and political issues

1. By the late 1800s, internal strife among the chiefs of the islands of the Samoan archipelago and struggles among the colonial Powers of Germany, the United Kingdom of Great Britain and Northern Ireland and the United States of America led to a period of instability. Deeds ceding the islands to the United States from the early 1900s were accepted under the Ratification Act of 1929, which was passed by the United States Congress and enacted on 20 February 1929. Pursuant to that legislation, American Samoans were given the status of United States nationals. The legislation provided for an American Samoan Government with all civil, judicial and military powers to be vested in a designee of the President of the United States. Given that the interest of the United States in the area had been mainly for military purposes, the Territory was placed under the jurisdiction of the United States Navy. On 29 June 1951, through Executive Order 10264 of the President of the United States, administrative responsibility for the Territory was transferred to the Department of the Interior.

2. American Samoa is an unincorporated and unorganized Territory under United States law. Not all provisions of the Constitution of the United States or of United States law apply. Residents of American Samoa are not United States citizens but United States nationals who can freely enter, work or reside anywhere they choose in the United States. Children born in the Territory to foreign parents become United States nationals. American Samoans may not vote in the general elections of the United States but are permitted to participate in presidential primaries and caucuses.

3. The Constitution of the Territory provides for separate executive and legislative branches and an independent judiciary. The executive branch comprises a governor and a lieutenant governor elected for four-year terms by universal adult suffrage. All American Samoans over 18 years of age are eligible to vote. The Governor is responsible for executing both American Samoan and United States laws and has veto power with regard to legislation passed by the Fono.

4. The Fono is a bicameral legislature, comprising the Senate, 18 members of which are chosen by 14 county village councils, and the House of Representatives, 20 members of which are elected by popular vote, with the other appointed as a non-voting delegate from Swains Island. Only a *matai* (chief), the traditional chief of an *aiga* (an extended family), can become a senator. Senators hold office for four years and representatives for two years. The Fono may pass laws with regard to all local affairs, provided that they are not inconsistent with United States laws in force in the Territory or with United States treaties or international agreements.

5. The judicial system consists of a high court, for which the Chief Justice and the associate justices are appointed by the United States Secretary of the Interior, and the local district and village courts, for which the judges are appointed by the Governor and confirmed by the Fono. The High Court is separated into appellate, trial, land and titles and family, drug and alcohol divisions. The United States Congress has granted limited federal jurisdiction to the High Court to hear certain cases involving federal statutory issues, such as occupational safety and health administration issues and ship mortgage actions. Other matters of federal law arising in the Territory are adjudicated in the United States district courts, mainly the federal courts in Hawaii and Washington, D.C. Given that American Samoa is not part of a United States

federal judicial district or circuit, there are no statutory provisions for appealing against decisions of the High Court to a federal district court.

6. The 1960 Constitution of American Samoa was revised in 1967 and subsequently amended in 1970 and 1977. Amendments or modifications, as approved by the United States Secretary of the Interior, may be made only by an act of the United States Congress. In 2008, a referendum that would have revised an aspect of the Constitution did not pass, by a narrow margin. At the Constitutional Convention held in June and July 2010, delegates proposed amendments or revisions to the Constitution, including those relating to the prohibition of further individualization of communal lands in the Territory, the establishment of an impartial jury in all criminal prosecutions, the enhancement of the Samoan language and culture in the educational system, the management and preservation of the natural resources of the Territory in accordance with local laws and the provision for the impeachment of the leaders of the Territory. In the general election held in November 2010, however, the voters overwhelmingly voted against the proposed changes. A constitutional referendum was held during the November 2014 general election, proposing an amendment to the revised Constitution to allow the Fono to override vetoes by the Governor. Voters rejected the proposal.

7. In the general election held in November 2016, voters re-elected Lolo Letalu Matalasi Moliga as Governor and Lemanu Peleti Mauga as Lieutenant Governor. Voters also elected 20 members of the American Samoa House of Representatives and the delegate to the United States House of Representatives (see para. 8).

8. Since 1981, American Samoa has elected by direct vote a delegate to the United States House of Representatives for a two-year term. The delegate may vote in committees. In the general election held in November 2014, Aumua Amata Radewagen became the first female delegate of American Samoa to the United States House of Representatives. She was re-elected to a second term in November 2016.

9. On 26 June 2013, the United States District Court for the District of Columbia dismissed a lawsuit filed by five non-citizen United States nationals born in American Samoa and the Samoan Federation of America (*Tuaua v. United States*) seeking a declaratory judgment that would assert that the citizenship clause of the Fourteenth Amendment extends to American Samoa. As stated in paragraph 2 above, American Samoa is an unincorporated territory, meaning that people born there are not conferred birthright citizenship. In 2014, an appeal was filed before the United States Court of Appeals for the District of Columbia Circuit, and oral arguments were presented on 9 February 2015. In June 2015, a three-judge panel of the Court of Appeals held that constitutional citizenship by birth did not apply in the territories and that those born in American Samoa had no claim to birthright citizenship under the citizenship clause of the Fourteenth Amendment. On 20 July 2015, the plaintiffs petitioned for the full Court of Appeals to review the June decision. On 2 October 2015, the Court of Appeals denied the petition and thereby upheld the decision. On 11 December 2015, the plaintiffs filed a motion to the Supreme Court of the United States requesting a 30-day extension to file a petition for a writ of certiorari seeking the Supreme Court's review of the decision by the Court of Appeals. The Supreme Court granted the plaintiffs' motion, and their petition for a writ of certiorari was submitted on 1 February 2016. The Supreme Court denied the petition for a writ of certiorari on 13 June 2016. The administering

Power and the Government of American Samoa intervened in opposition to the lawsuit, arguing that the citizenship status of the people of American Samoan was a matter for the people to resolve through political processes.

10. Addressing the United States House of Representatives on 27 June 2013, the then delegate from American Samoa, thanked the District Court for its well-reasoned opinion and for reaffirming the authority of Congress to grant citizenship to the people of American Samoa. In his view, the decision would allow the people of American Samoa to decide whether they wished to become citizens. In a letter addressed to the territorial Governor and the Fono in April 2013, he had stated that the lawsuit posed a threat to the traditional culture of American Samoa and that it was unknown whether the entire Constitution of the United States would apply to American Samoa, if the Court applied the citizenship clause to it. He also said that, if people who were born in American Samoa automatically became United States citizens, the United States would likely take control of the immigration system in American Samoa. He had affirmed that it was important that the people of American Samoa, and not the Court, should decide whether they wished to become United States citizens by birthright.

11. According to the administering Power, the Governor of the Territory submitted his official position on the political status of American Samoa in a document dated 13 June 2013, entitled "Decolonization issue regarding American Samoa", which was forwarded in the same month to the Office of Insular Affairs of the United States Department of the Interior. The Governor noted that American Samoa was not a colony of the United States but rather a Territory, a status that had been fashioned voluntarily because of economic reasons. He expressed his appreciation for the continued diligence of the United Nations in working to ensure that the administering Powers revisited existing relationships with their territories or insular possessions so that every opportunity was provided for the latter to opt out if they so desired. In his view, the United Nations was genuinely committed to ensuring that the general welfare of such territories was secured through the development of their financial systems, the strengthening of their Governments and the building of self-sustaining economies.

12. The Governor pointed out that the current status of American Samoa provided more self-determining authority to American Samoa to make its own decisions. The prevailing perception that American Samoa was a colony by definition stemmed from the informal character of its relationship with the United States, given the absence of an organic act that formally defined the relationship. In a de facto sense, he said, American Samoa was part of the United States, substantially self-governing and not a colony in any real sense. He noted that American Samoa had freely, through its deeds of cession, bequeathed its sovereignty to the United States; it had not been acquired through any military conquest. Being part of the United States was really a matter of self-determination.

13. The Governor also noted that, while the federal Government of the United States had lived up to its commitment to American Samoa with regard to the provision of funds, there were current issues decided at the congressional level that had negatively affected the ability of American Samoa to advance its social and economic development prospects. He pointed out, however, that American Samoa had

representation in the United States Congress to register its objections to measures that adversely affected its ability to improve the quality of life in the Territory.

14. The Governor recalled the recommendation made in 2006 by the Future Political Status Study Commission that American Samoa continue as an unorganized and unincorporated territory and that a process of negotiation with the United States Congress for a permanent political status be initiated, in addition to the points forming the basis for such negotiations (see A/AC.109/2008/3). He further expressed his personal preference for the United States Congress, which had the ultimate authority to decide on the type of political status that the United States would have with American Samoa, to relinquish that authority to the people of American Samoa in order to empower them to make the decision that they deemed appropriate.

15. At the Caribbean regional seminar on the implementation of the Third International Decade for the Eradication of Colonialism, held in Managua from 19 to 21 May 2015, the representative of the Governor of American Samoa stated that, while the Territory enjoyed a great deal of self-government, its current legal status was seen as an anachronism that exposed the Territory to situations beyond its control and needed to be remedied. American Samoa continued to get its authority from the President of the United States and the United States Department of the Interior. What was most important to the people of American Samoa were the preservation of its culture and the ability to govern themselves. The Territory did not have appropriate representation in the Government of the United States and was exposed to decisions made by judges and other lawmakers far from the Territory. The Territory was also exposed to coercive taxes, including those that prohibited the ability of American Samoa to use its own resources to better the Territory. Until specific protections were assured, the fact that it lived under the auspices of the United States would make it vulnerable. The United States entered into free trade agreements with many countries that affected American Samoa directly. He expressed the hope that the Territory would soon have a voice in determining the course of its future. On the way forward, he stated that the referendum on a constitutional amendment held in 2014 had sparked a lively public debate among voters and local residents about the political status and future of American Samoa. Although the constitutional amendment had failed to pass, the resulting public discourse had suggested that American Samoa was ready to take the next step in entertaining serious discussion about what its future political status should look like. According to the representative, until the people of American Samoa had exercised their right to determine for themselves their future political status, it was perhaps best that American Samoa remained on the list of Territories to which the Declaration was applicable. In conclusion, he extended an invitation to the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples from the Governor to visit the Territory.

16. According to the administering Power, in March 2016 the Office of Insular Affairs of the United States Department of the Interior awarded $300,000 to the Office of Samoan Affairs to assist the American Samoa Constitutional and Political Status Review Office established by Governor's Executive Order. The purpose of the Review Office is to liaise, advise and collaborate with the legislature of American Samoa on amendments to the Constitution of American Samoa and function as a capacity-building initiative focused on exploring the possibility of political status with a full measure of self-governance and educating the community

on their options. The Office has used the funding to assist in addressing objectives that include determining how negative economic impacts can be addressed by increased self-government, finding the right political model, protecting the people's land and culture, and establishing an entity to sustain those efforts.

II. Budget

17. The final version of the budget for fiscal year 2017, which began on 1 October 2016, amounted to $382.28 million, according to the executive summary submitted by the American Samoa Budget Office. According to the Office of Insular Affairs of the United States Department of the Interior, grant funds are provided each year to American Samoa for the operation of the local government, including the judiciary, to fill the gap between budget needs and local revenues. The 2017 budget request by the Office of Insular Affairs for American Samoa is $22.7 million, with 61.5 per cent allocated to basic operations and 34.7 per cent to the operations of the Lyndon Baines Johnson Tropical Medical Center. According to the Office of Insular Affairs, the operation grant was maintained at a constant level between 2015 and 2016 in order to promote self-sufficiency, requiring American Samoa to absorb the costs of inflation or costs associated with the growing population. The Office of Insular Affairs has designated American Samoa as a high-risk grantee in an effort to improve accountability for federal funds. That designation allows the Office of Insular Affairs to require grantees to comply with special conditions for future or existing grants. The special conditions may include payment of grant funds on a reimbursable basis; withholding approval to proceed from one project phase to another until the receipt of acceptable evidence of current performance; additional project monitoring; and requiring grantees to obtain technical or management assistance. The high-risk designation will be removed once the Government of American Samoa: (a) has completed single audits by the statutory deadline for the two most recent consecutive years, resulting in opinions that are not disclaimed and do not contain qualifications that the Office of Insular Affairs determines in its reasonable discretion to be material; (b) has a balanced budget, as confirmed by independent auditors, for the two most recent consecutive years, without regard for non-recurring windfalls, such as insurance settlements; (c) is in substantial compliance with the memorandum of agreement, signed in 2002 between the territorial Government and the Office of Insular Affairs, and the fiscal reform plan.

III. Economic conditions

A. General

18. As noted in previous working papers, the President of the United States signed the Insular Areas Act into law in 2012, postponing minimum wage increases for 2012, 2013 and 2014. Annual wage increases were to recommence on 30 September 2015 and would continue every three years until all rates reached the federal minimum rate. The wage rates are set for particular industries, not for an employee's particular occupation. The rates are minimum rates; an employer may choose to pay an employee at a rate higher than the rate or rates for its industry.

19. According to the administering Power, Public Law 114-61 was enacted in October 2015, providing an immediate incremental increase of $0.40 per hour in the transitional minimum wage for each industry in American Samoa, with additional increases occurring every three years on 30 September until the minimum wage is equal to that in the United States. Public Law 114-61 also changed the deadline for the United States Government Accountability Office report assessing the impact of minimum wage increases in American Samoa to 1 April 2017, with a subsequent report due by 1 April 2020. The law also directed the Office to report on alternative mechanisms to increase the minimum wage in American Samoa in order to keep pace with the cost of living and eventually equal the minimum wage in the United States.

20. According to the United States Department of Labor, American Samoa has separate minimum wages for 18 industries as at 30 September 2015, currently ranging from $4.58 per hour (garment manufacturing) to $5.99 per hour (stevedoring, lighterage and maritime shipping agency activities). The tuna canning industry, the largest source of private sector employment in the Territory, has a current minimum wage of $5.16 per hour and employs mostly foreign labour from neighbouring Samoa. There is currently one operating cannery and an additional fish company has begun limited operations.

21. In December 2016, the United States Government Accountability Office issued a report entitled "American Samoa: alternatives for raising minimum wages to keep pace with the cost of living and reach the federal level". The report examined the history of the implementation of the minimum wages in the Territory, the status of the economy of American Samoa and alternative approaches for increasing minimum wages.

22. In August 2016, the Bureau of Economic Analysis of the United States Department of Commerce released the gross domestic product (GDP) estimates for the Territory for 2015 and estimates of GDP and compensation by industry for 2014. The estimates of GDP for American Samoa showed that real GDP, adjusted for price changes, increased 1.1 per cent in 2015, after increasing 1.3 per cent in 2014. The growth in the economy of the Territory reflected increases in exports of goods and government spending. Exports of goods grew for a second consecutive year, reflecting the increased activity of the tuna canning industry, which continued to increase its output after a multimillion-dollar canning plant opened in early 2015. Government spending also increased, reflecting growth in spending by the territorial Government. Major projects of the territorial Government in 2015 included the rebuilding of the Satala power plant and the work by the telecommunications authority to improve broadband capacity and coverage in American Samoa.

23. In November 2014, the Territorial Economic Development Implementation Task Force submitted a comprehensive platform for the Territory entitled "Economic development implementation plan for American Samoa, 2014-2017". The plan focused on transportation services and infrastructure, new business and industry, federal government constraints and business climate, agriculture, tourism, fisheries and workforce development.

24. According to the most recent statistical yearbook published by the Department of Commerce of the Government of American Samoa, the balance of trade in fiscal year 2014 recorded a deficit of $255.4 million. Imports include government purchases, the value of fish brought in for processing at the canneries and the value

of commercial merchandise brought in for resale. Trade data is still considered incomplete due to the absence of the post exchange data from the import series. The value of exports consists primarily of canned tuna and its by-products. The United States continued to be the Territory's leading trade partner, followed by New Zealand, the Republic of Korea and Fiji.

B. Fisheries and agriculture

25. According to the report of the United States Government Accountability Office (see para. 21), cannery officials stated that wage increases were among the factors affecting the tuna canning industry in American Samoa and that labour costs, including the minimum wage increases, placed the Territory at a significant cost disadvantage, compared with canned tuna exporting countries.

26. In October 2016, the owner of Samoa Tuna Processors, one of the two tuna canning operations in American Samoa, announced that it was closing its tuna canning operations in December 2016. The company, which had invested $70 million in the facility that opened in January 2015, issued a statement claiming that "the challenging economics of canning tuna in American Samoa combined with external factors facing Samoa Tuna Processors make the company's private label-focused business model for operating the plant economically unsustainable in today's market." The closure of the facility on 17 December 2016 was expected to leave approximately 800 people unemployed.

27. Almost 90 per cent of all farms in the Territory operate on a subsistence basis. Prospects for agricultural development continue to be limited because much of the land is volcanic and mountainous and only a small amount of level land is suitable for cultivation. Farmers benefit from assistance provided by the Natural Resources Conservation Service of the United States Department of Agriculture and its environmental quality incentives programme.

C. Tourism

28. According to the administering Power, tourism has been identified as one of the new key economic pillars for American Samoa because of the uncertainty of the tuna fishing sector, the competition among cannery operators for more catch and access to fishing areas for their fleets and the continuing decrease in profit margin for the canned product. Since the establishment of the American Samoa Visitors Bureau in 2008, the office has marketed the destination overseas and has invested in training members of the local tourism industry in aspects related to the global tourism industry and its requirements.

29. The number of visitor arrivals fluctuated between 2009 and 2016, averaging approximately 25,000 visitors annually. Annual hotel room occupancy, however, has gone from 30 per cent in 2009 to around 70 per cent in 2016, reflecting momentum in the sector, which consists of only 200 hotel rooms. Cruise ship visits have increased from six visits per year in 2009 to between 15-20 ships per year, bringing in more than 50,000 cruise-ship visitors annually.

30. According to the administering Power, partnerships with international travel companies and airlines are being forged and, in 2013, the Territory was ranked fifth on the list of top 10 United States destinations compiled by *Lonely Planet*. A second airline from Samoa has started flying between Samoa and American Samoa, and the American Samoa Visitors Bureau is holding talks with other airlines in the Pacific Region about adding new services to the Territory.

D. Transport and communications

31. There are some 180 km of public and primary paved roads and 235 km of secondary village roads in American Samoa. Pago Pago harbour, an all-weather deep-draught harbour, has a main dock that is 1,000 feet long, handling ships of up to a 32-foot draught. The harbour provides the full complement of equipment and facilities. The ship repair facility features a 3,000-ton marine railway.

32. The four airports in the Territory are situated on the islands of Tutuila, Ofu, Olosega and Ta'u. Pago Pago International Airport is owned and operated by the territorial Government. It is served by one commercial passenger airline that provides service twice a week and sometimes three times a week during peak seasons. There is one weekly cargo flight that links American Samoa with Hawaii and the continental United States. Within the Territory, there is one foreign airline that provides twice a week service to Ofu and Ta'u. There is no airline service to Swains Island.

33. The Territory's air transport service to and from the United States is severely restricted by United States cabotage laws that prohibit foreign carriers from transporting passengers between American Samoa and other parts of the United States, according to the Comprehensive Economic Development Strategy document.

34. The Territory has three FM radio stations and three AM radio stations, serving some 57,000 radios. One government-owned television station broadcasts more than three channels to some 14,000 television sets. Internet access is provided by the American Samoa Telecommunications Authority, a semi-autonomous government agency. Cable television and Internet services are also available from a private company, which is partly owned by the Government of American Samoa.

E. Water, sanitation system and utilities

35. The American Samoa Power Authority provides water, wastewater, solid-waste and electricity services to customers on five of the seven islands. It provides drinking water to 90 per cent of the Territory from wells, with the remaining 10 per cent being serviced by outer-village systems.

36. According to the United States Energy Information Administration, American Samoa is nearly 100 per cent dependent on imported fossil fuels, including diesel fuel, for electric power generation. Electricity prices in American Samoa varied between three and four times the United States average in 2014. A significant amount of its electricity is used to pump and treat drinking water. The American Samoa Power Authority owns and operates two generating plants and the electric grid on Tutuila, plus two other small generating plants and grids serving the Manu'a

island group. The Authority also provides drinking water and wastewater treatment. In September 2009, an earthquake and tsunami destroyed the Satala generating plant, reducing generating capacity on Tutuila by half. Generators burning ultra-low-sulphur diesel temporarily replaced those destroyed in 2009. A 24.5-MW replacement plant, with high-efficiency diesel generating sets, was scheduled for completion in 2016.

F. Renewable energy

37. With the Territory's high cost of electricity and geographic isolation, the Government established a renewable energy committee to work with federal experts to bring sustainable renewable energy to the islands. The committee has developed energy strategies to explore the potential for wind, solar, photovoltaic and geothermal power on Tutuila and on the Manu'a islands. The committee's energy action plan for 2016 contains four short-term strategies selected by the committee and the steps that will need to be taken to implement the strategies. In August 2016, the energy committee adopted a goal of having 50 per cent of energy in American Samoa drawn from renewable energy sources by 2025 and 100 per cent by 2040. In November 2016, the Power Authority dedicated a 1.4 MW solar grid for the island of Ta'u. The Ofu solar hybrid project will replace 90 per cent of the current diesel use and provide 24 hours of reliable power for the islands of Ofu and Olosega. According to the United States Energy Information Administration, the Authority is considering adding an in-stream hydropower turbine on the Ofu-Olosega system to reach the goal of using energy derived from 100 per cent renewable sources.

IV. Social conditions

A. General

38. Known as *fa'asamoa*, the Samoan way of life is based on the notion of mutual respect and sharing among the *aiga*, each featuring a common allegiance to a *matai*, and it influences every aspect of the socioeconomic fabric of the Territory. Since 2008, the legislature has been working to further strengthen the use of the Samoan language in public schools, in tandem with English.

39. In 2011, the Pacific office of the United Nations Children's Fund and the secretariat of the Pacific Community published *The State of Pacific Youth 2011: Opportunities and Obstacles*, a report highlighting significant problems facing young people in the Pacific, including American Samoa, such as the high number of teenage pregnancies, the high proportion of female teenagers who are raped (26 per cent) and the high incidence of alcohol abuse.

40. According to the statistical yearbook for 2014 published by the Department of Commerce of the Government of American Samoa, 57.8 per cent of the population, or 54.4 per cent of families, were below the United States poverty level in 2010. Of the 3,875 grandparents reported to have lived with their grandchildren, 66 per cent of them were responsible for their grandchildren.

B. Labour and immigration

41. According to the 2016 report of the United States Government Accountability Office (see para. 21), local government and tuna canneries are the largest employers, accounting for 42 per cent and 14 per cent of the workforce, respectively, in 2014. From 2007 to 2014, overall employment fell by 4 per cent, and workers' average inflation-adjusted earnings fell by about 11 per cent. During the same period, cannery employment decreased by 50 per cent, and the minimum wage for cannery workers rose. According to the same report, the Government of American Samoa has expressed concern that continued minimum wage increases are at odds with sustainable economic development.

42. American Samoa has its own immigration laws and conditions for entry to the Territory, which are not the same as those applicable to the United States. As previously reported, a new immigration law for American Samoa has entered into force, giving the Attorney General, rather than a government-appointed board, full authority over the granting of permanent resident status. In the Comprehensive Economic Development Strategy document, it was reported that local control of immigration was an important advantage to American Samoa, especially in view of the limited range of skills among its labour force and the need to bring in skilled workers and management for many industries. It recommended revising the immigration law, policy and procedures to better accommodate business labour requirements and expressed concern that local immigration and customs control in American Samoa could be federalized, a scenario that could have very severe adverse effects on the local labour market.

43. In the Unified Plan submitted by American Samoa under the Workforce Innovation and Opportunity Act of 2016 it was revealed that emigration of workers from the Territory to the United States was balanced by immigration of foreign tuna cannery and fishery workers. The Plan identified a number of issues causing the labour force to leave the Territory, including low wages compared with those in neighbouring States and Pacific jurisdictions, slower economic growth due to costs associated with transportation, distribution and housing, and the slow development of infrastructure in the Territory owing to its being subject to major environmental impacts and lacking funding to improve upon current infrastructure.

C. Education

44. Education in American Samoa is compulsory for those between 6 and 18 years of age. The education system is broadly based on that of the United States. A total of 95.7 per cent of the student population is from American Samoa, whereas 4.3 per cent of students are from China, the Philippines, the Republic of Korea and other Pacific islands.

45. American Samoa has a literacy rate of approximately 97 per cent. There are five school districts, each centred on a high school together with lower-level elementary schools. The Department of Education of American Samoa comprises 22 early childhood education centres, 22 elementary schools and six high schools. It serves more than 15,531 students from kindergarten to grade 12, early childhood education and special education programmes. It has 563 teachers in elementary

education, 248 in secondary education, 18 in vocational education, 202 in special education and 118 in early childhood education.

D. Public health

46. According to the World Health Organization (WHO) country cooperation strategy for American Samoa for the period 2013-2017, the most serious health issues are related to the increase in chronic and non-communicable diseases, owing to improper nutrition and physical inactivity. There have been significant increases in the incidences of obesity, hypertension, cardiovascular diseases, cerebrovascular diseases, diabetes mellitus and its complications, arthritis and some forms of cancer. Some 16 per cent of the budget of the Lyndon Baines Johnson Tropical Medical Center comes from the federal Government, and most of the funds are used to purchase medical supplies. Vaccines and pharmaceuticals are purchased in the United States, given that the Food and Drug Administration prohibits the purchase of medicines elsewhere. Logistical and financial factors cause frequent scarcity problems.

47. According to WHO, the morbidity pattern has fundamentally changed over the past three decades, with an increase in non-communicable diseases stemming from modernization and lifestyle changes. Inappropriate nutrition and physical inactivity are the leading causes of the significant increases in obesity rates for both sexes, especially among young people.

E. Crime and public safety

48. The Territory has continued to enhance cooperation with the Pacific Islands Chiefs of Police organization and the United States Department of Justice through its Office of Territorial and International Criminal Intelligence and Drug Enforcement.

49. In 2012, it was announced that all Federal Bureau of Investigation operations and investigative efforts in American Samoa would be handled by the Bureau's office in Honolulu, Hawaii. The decision for the consolidation was made by the United States Congress for budgetary reasons.

V. Environmental protection and disaster preparedness

50. The American Samoa Environmental Protection Agency, funded by the United States Environmental Protection Agency, is mandated to protect human health and to safeguard the natural environment, in particular air, water and land.

51. American Samoa faces the problem, common to the South Pacific, of the safe disposal of solid and liquid waste, in particular as a result of urbanization. According to the United Nations Environment Programme, point source pollution from industrial waste and sewage, inappropriately sited and poorly managed garbage dumps and the disposal of toxic chemicals is a significant contributor to marine pollution and coastal degradation. There is growing concern that toxic and hazardous waste may be brought to the region from developed countries for disposal.

52. The United States Department of the Interior awarded $812,000 to the Government of American Samoan to address climate change priorities. The initiatives included creating a climate change adaptation strategy to identify and prioritize the immediate actions that American Samoa needs to take to best adapt to climate change, developing a centralized geographical information service server for all Government agencies in the Territory, which will serve as a tool to analyse and visualize data in order to more effectively understand and predict the effects of climate change and aid in adaptation planning, and conducting vulnerability assessments of urban systems and infrastructure in order to analyse vulnerabilities to climate-related stress and climate change-induced events.

VI. Relations with international organizations and partners

53. American Samoa has been an associate member of the Economic and Social Commission for Asia and the Pacific since 1988. International labour conventions and recommendations are applicable to it. The Territory belongs to various regional bodies of the United Nations system, including WHO, for which it falls under the auspices of its Regional Office for the Western Pacific and its Western Pacific Regional Centre for the Promotion of Environmental Planning and Applied Studies.

54. American Samoa is a member of several regional organizations, including the Pacific Community, the Pacific Basin Development Council, the Pacific Tuna Development Foundation, the Pacific Islands Association of Non-governmental Organizations, the Asia South Pacific Association for Basic and Adult Education, the Pacific Asia Travel Association and the Pacific Regional Environment Programme. The Territory participates in the Secretariat of the Pacific Community Applied Geoscience and Technology Division and the Pacific Community Coastal Fisheries Programme. American Samoa also belongs to United States organizations, such as the National Governors Association and the Western Governors' Association. The Government of American Samoa has signed memorandums of understanding with the Governments of Samoa and Tonga on mutual economic cooperation and has sent trade missions to countries in the Pacific region. American Samoa hosted the seventh Pacific water conference and exposition of the Pacific Water and Wastes Association from 9 to 11 September 2014. The Territory also holds observer status with the Pacific Islands Forum and the Alliance of Small Island States.

VII. Future status of the Territory

A. Position of the territorial Government

55. Section I of the present working paper reflects recent developments in American Samoa concerning its future political status.

B. Position of the administering Power

56. In a letter dated 2 November 2006 addressed to the delegate of American Samoa to the United States House of Representatives, the United States Assistant

Secretary of State for Legislative Affairs set forth the position of the Government of the United States on the status of American Samoa and other United States insular areas. He indicated that the status of the insular areas regarding their political relations with the federal Government was an internal United States issue and not one that came under the purview of the Special Committee. He also indicated that the Special Committee had no authority to alter in any way the relationship between the United States and those territories and had no mandate to engage the United States in negotiations on their status. He further indicated that, at the same time, in accordance with its obligations under the Charter of the United Nations to provide regularly to the United Nations statistical and other information of a technical nature relating to the economic, social and educational conditions in the Non-Self-Governing Territories, the federal Government submitted annual updates on United States territories to the Special Committee as a demonstration of the cooperation of the United States as an administering Power and to correct any errors in information that the Special Committee might have received from other sources.

57. According to the administering Power, on 23 February 2016, the Assistant Secretary for Insular Areas of the United States Department of the Interior hosted a panel discussion in Washington, D.C., on self-determination in, American Samoa, Guam and the United States Virgin Islands. The panel included territorial experts and officials from the United States Department of the Interior and the Department of State and provided an updated context for federal policymakers and for a new generation to learn about the status of self-determination in the respective territories and to understand their rights with regard to self-determination under federal and international law. The panel experts reaffirmed the administering Power's position that, under the United States Constitution, only the United States Congress has the plenary power to dispose of and make needful rules and regulations respecting the territories. It was also re-established that it is the administering Power's policy that the territories have three distinct options for exercising self-determination: continued territorial status, statehood or independence.

VIII. Action taken by the General Assembly

58. On 6 December 2016, the General Assembly adopted resolution 71/108 without a vote, on the basis of the report of the Special Committee (A/71/23) and the subsequent recommendation by the Fourth Committee. In that resolution the Assembly:

(a) Reaffirmed the inalienable right of the people of American Samoa to self-determination, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

(b) Also reaffirmed that, in the process of the decolonization of American Samoa, there was no alternative to the principle of self-determination, which was also a fundamental human right, as recognized under the relevant human rights conventions;

(c) Further reaffirmed that it was ultimately for the people of American Samoa to determine freely their future political status in accordance with the

relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that connection called upon the administering Power, in cooperation with the territorial Government and appropriate bodies of the United Nations system, to develop political education programmes for the Territory in order to foster an awareness among the people of their right to self-determination in conformity with the legitimate political status options, based on the principles clearly defined in Assembly resolution 1541 (XV) and other relevant resolutions and decisions;

(d) Welcomed the work of the territorial Government with respect to moving forward on political status, local autonomy and self-governance issues with a view to making political and economic progress, and also welcomed the establishment in April 2016 of the Office of Political Status, Constitutional Review and Federal Relations;

(e) Recalled the indication by the territorial Government that American Samoa should remain on the list of Non-Self-Governing Territories, under the purview of the Special Committee, until such time as its people have exercised their right to self-determination;

(f) Expressed its appreciation for the invitation extended in 2015 by the Governor of American Samoa to the Special Committee to send a visiting mission to the Territory, called upon the administering Power to facilitate such a mission if the territorial Government so desires, and requested the Chair of the Special Committee to take all the steps necessary to that end;

(g) Requested the administering Power to assist the Territory by facilitating its work concerning a public awareness programme, consistent with Article 73 *b* of the Charter, and in that regard called upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

(h) Stressed the importance of the Special Committee being apprised of the views and wishes of the people of American Samoa and enhancing its understanding of their conditions, including the nature and scope of the existing political and constitutional arrangements between American Samoa and the administering Power;

(i) Called upon the administering Power to participate in and cooperate fully with the work of the Special Committee in order to implement the provisions of Article 73 *e* of the Charter and the Declaration and in order to advise the Committee on the implementation of the provisions under Article 73 *b* of the Charter on efforts to promote self-government in American Samoa, and encouraged the administering Power to facilitate visiting and special missions to the Territory;

(j) Reaffirmed the responsibility of the administering Power under the Charter to promote the economic and social development and preserve the cultural identity of the Territory, and requested the administering Power to take steps to enlist and make effective use of all possible assistance, on both a bilateral and a multilateral basis, in the strengthening of the economy of the Territory;

(k) Took into account the 2030 Agenda for Sustainable Development, including the Sustainable Development Goals, stressed the importance of fostering the economic and social sustainable development of the Territory by promoting sustained, inclusive and equitable economic growth, creating greater opportunities

for all, reducing inequalities, raising basic standards of living, fostering equitable social development and inclusion and promoting the integrated and sustainable management of natural resources and ecosystems that supports, inter alia, economic, social and human development, while facilitating ecosystem conservation, regeneration, restoration and resilience in the face of new and emerging challenges, and strongly urged the administering Power to refrain from undertaking any kind of illicit, harmful and unproductive activities, including the use of the Territory as a tax haven, that are not aligned with the interest of the people of the Territory;

(l) Requested the Territory and the administering Power to take all measures necessary to protect and conserve the environment of the Territory against any degradation, and once again requested the specialized agencies concerned to monitor environmental conditions in the Territory and to provide assistance to the Territory, consistent with their prevailing rules of procedure;

(m) Requested the Special Committee to continue to examine the question of American Samoa and to report thereon to the General Assembly at its seventy-second session and on the implementation of the present resolution.

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Anguilla

Working paper prepared by the Secretariat

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Note: The information contained in the present working paper has been derived from public sources, including those of the territorial Government, and from information transmitted to the Secretary-General by the administering Power under Article 73 *e* of the Charter of the United Nations. Information was transmitted by the administering Power on 8 December 2016. Further details are contained in previous working papers, available from www.un.org/en/decolonization/workingpapers.

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The Territory at a glance

Territory: Anguilla is a Non-Self-Governing Territory under the Charter administered by the United Kingdom of Great Britain and Northern Ireland.

Representative of administering Power: Governor Christina Scott (2013)

Geography: The Territory lies 240 km east of Puerto Rico, 113 km north-west of Saint Kitts and Nevis and 8 km north of Sint Maarten/Saint Martin. It has a relatively flat topography, with a few rolling hills rising to 213 ft.

Land area: 96 km^2. The main island has a maximum length of 26 km and a maximum width of 5 km.

Exclusive economic zone: 92,178 km^2

Population: 15,700 (2013 estimate)

Life expectancy at birth: 81.31 years (male: 78.71 years, female: 83.98 years (2015 estimate))

Languages: 99 per cent of the population speaks English. Spanish and Chinese are also spoken.

Capital: The Valley

Head of territorial Government: Chief Minister Victor Banks (April 2015)

Elections: Most recent: 22 April 2015; next: by 22 April 2020

Main political parties: Anguilla United Front; Anguilla United Movement

Legislature: House of Assembly

Gross domestic product per capita: US$ 18,589 (2014 estimate)

Economy: Tourism, financial services and remittances

Main trading partners: United States of America and States members of the Caribbean Community

Unemployment rate: 8 per cent (2012 estimate)

Monetary unit: East Caribbean dollar, pegged to the United States dollar at about EC$ 2.70

Brief history: Originally inhabited by the Arawaks, the Territory was colonized by British and Irish settlers in 1650 and was periodically associated with Saint Kitts and Nevis, as well as with various regional structures. In 1980, the Territory became a dependency of the United Kingdom.

I. Constitutional, legal and political issues

1. According to the Anguilla Constitution Order, which came into force in 1982 and was amended in 1990, the Government of Anguilla consists of the Governor, the Executive Council and the House of Assembly. The Governor, appointed by the British Crown, is responsible for defence, external affairs, internal security (including the police), international financial services and their regulation, public service appointments and the application to public servants of their terms and conditions of service. On all other matters, the Governor is required to consult and act on the advice of the Executive Council. At the same time, the Order stipulates that the British Crown reserves the power, with the advice of the Privy Council, to make laws for the peace, order and good government of Anguilla.

2. The Territory's Executive Council consists of the Chief Minister, not more than three other ministers and two ex officio members, namely, the Attorney General and the Deputy Governor. The Governor acts as Chair of the Council, without voting rights. The House of Assembly is elected for a five-year term and comprises the Speaker, not less than seven members elected from single-member constituencies, the same two ex officio members as in the Executive Council and two members appointed by the Governor, one upon the advice of the Chief Minister and the other after consultation with the Chief Minister and the Leader of the Opposition, as appropriate. In accordance with the Constitution, the Governor appoints as Chief Minister one of the elected members of the Assembly who, in the judgment of the Governor, is likely to command the support of a majority of the elected members of the Assembly. Other ministers are also appointed by the Governor, in accordance with the advice of the Chief Minister, from among the elected members of the Assembly.

3. The general elections held in Anguilla on 22 April 2015 resulted in a change of government from the Anguilla United Movement to the Anguilla United Front. The current Chief Minister, Victor Banks, took office on 23 April 2015.

4. The law of Anguilla is the common law of the United Kingdom, together with all legislation inherited from the former associated State of Saint Kitts-Nevis-Anguilla up to August 1971 and any legislation that has been enacted either locally or by the United Kingdom on its behalf since. The law is administered by the Eastern Caribbean Supreme Court, a regional court based in Saint Lucia for the members of the Organization of Eastern Caribbean States, which consists of two divisions, an itinerant court of appeal and a high court of justice.

5. The British Overseas Territories Act 2002 provides for the granting of British citizenship to British overseas territory citizens.

6. Discussions with the United Kingdom on a new draft constitution had been expected to begin in 2010. In 2011, Anguilla set up a team headed by H. Clifton Niles to draft a new constitution. As previously reported, a draft text was presented to the Government in February 2012, containing changes in governance that could become features of an independent constitution. According to the administering Power, in September 2015, the territorial Government established a new Constitutional and Electoral Reform Committee to advance constitutional and electoral reform. In November 2016, the territorial Government published the

proposals for electoral and constitutional reform by the Committee as the draft new Constitution, the draft new election bill and the draft new electoral boundaries commission. New proposals contained in the draft new Constitution included renaming the Executive Council as the Cabinet and the Chief Minister as Premier, an increase in the number of ministers from four to six, the introduction of a two-term limit for the Premier and changes to the responsibilities of the Governor. According to the explanatory memorandum on the draft new Constitution, although several attempts were made to engage with the public, the opportunities were not taken up by many. It also stated that the final version of the draft new Constitution would need to be approved by both the Executive Council and the House of Assembly before being taken to the United Kingdom for discussion and agreement with the Foreign and Commonwealth Office.

7. According to the administering Power, in line with its white paper entitled *The Overseas Territories: Security, Success and Sustainability*, published in 2012, the Governor has made clear that any decision to sever the constitutional link between the United Kingdom and Anguilla should be on the basis of the clear and constitutionally expressed wish of the people of Anguilla. If the desire for independence was clearly expressed, the Government of the United Kingdom would meet its obligations to help the Territory to achieve it.

8. Following the elections in April 2015, then Chief Minister-elect Banks reportedly stated that stimulating the Anguillan economy was a key priority and that the political independence of Anguilla was not an immediate priority for his administration, in contrast to the position of the previous administration under the Anguilla United Movement.

II. Budget

9. The Governments of the United Kingdom and Anguilla have agreed upon a framework for fiscal responsibility and development, which was passed into Anguillan law in November 2013. It set out the commitment of the Government of Anguilla to a balanced budget, borrowing guidelines and a medium-term fiscal plan for the management of public finances over the coming five years.

10. On 5 December 2016, the Chief Minister and Minister of Finance presented a budget of EC$ 256.29 million in the House of Assembly for the operation of the Government in 2017. With regard to the fiscal year 2016, the recurrent revenue was estimated at EC$ 198.48 million, representing a 3.89 per cent increase over 2015, and the recurrent expenditure at EC$ 188.32 million, which brought the recurrent balance to a surplus of EC$ 10.16 million. The Government of the United Kingdom continued to provide capital grants to the Territory totalling EC$ 5.58 million in 2016, supporting education, telecommunications and fire services and air traffic control projects.

11. There is no income, estate, capital gains, corporation, value added or goods and services tax in Anguilla. The territorial Government continues to study this matter, in particular with regard to the impact of low taxation on the Territory's economy and public sector reserves.

III. Economic conditions

A. General

12. According to the 2017 budget address, the economy of Anguilla grew by 2.81 per cent in real terms in 2015, compared to 5.6 per cent the previous year. Gross domestic product (GDP) in 2015 was EC$ 863.32 million. The real growth in 2016 is estimated to be 4.3 per cent.

13. The main industries in Anguilla are tourism, real estate, offshore incorporation and management and banking. Tourism is the main source of economic growth.

B. Tourism

14. The Ministry of Finance, Economic Development, Investment, Commerce and Tourism is responsible for implementing the tourism master plan, while the Anguilla Tourist Board and the Anguilla Hotel and Tourism Association market and promote the Territory's tourism product.

15. Official data provided by the territorial Government indicate that Anguilla had 186,068 visitor arrivals in 2015 (of which approximately 40 per cent, 73,232, were stay-over visitors), a 5.25 per cent increase from 176,780 visitor arrivals in 2014. During the first nine months of 2016, visitor arrivals numbered 131,368, of which 60,910 were stay-over visitors.

C. Financial services

16. International financial services account for some 20 per cent of the GDP of Anguilla. The Anguilla Financial Services Commission was established in 2004 as an independent regulatory body reporting to the Governor. At the same time, the administration of the Territory's responsibilities with respect to the United States Foreign Account Tax Compliance Act rests with the Ministry of Finance. In October 2014, Anguilla joined the early adopters initiative to commit itself to the early adoption of the Common Reporting Standard, which was the new standard in the automatic exchange of information between tax authorities developed by the Organization for Economic Cooperation and Development.

17. Since August 2013, two commercial banks in Anguilla, the National Bank of Anguilla and the Caribbean Commercial Bank, have been under the conservatorship of the Eastern Caribbean Central Bank. In 2015, the territorial Government decided to progress the proposed banking resolution plan by the Eastern Caribbean Central Bank. In April 2016, the Governor assented to a series of related legislation (the Banking Act, 2015, which was passed in the House of Assembly in November 2015; the Eastern Caribbean Asset Management Corporation (Amendment) Act, 2016; and the Bank Resolution Obligations Act, 2016), following assurances that the territorial Government had committed to an ambitious economic reform programme to support the banking resolution plan. In an address following the assent, the Chief Minister stated that in respect for the wish of the Anguillans to continue an indigenous banking presence in the Territory, performing loans of the National Bank of

Anguilla and the Caribbean Commercial Bank would be transferred to a new Government-owned financial institution, the National Commercial Bank of Anguilla, while non-performing loans would be transferred to another new financial institution, the Eastern Caribbean Asset Management Corporation. Deposits not transferred to the new bank would be protected by the Bank Resolution Obligations Act, 2016. The Chief Minister gave assurances that the territorial Government was committed to protecting the deposits of Anguillans and ensuring that Anguilla had a safe and sound banking system.

18. In April 2016, Anguilla concluded a bilateral arrangement with the United Kingdom on the reciprocal exchange of beneficial ownership information. According to the administering Power, the arrangement is due to come into effect by June 2017. Under the arrangement, law enforcement authorities will have timely access to beneficial ownership information on corporate and legal entities incorporated in the respective jurisdictions.

19. In the communiqué adopted at the fifth meeting of the Overseas Territories Joint Ministerial Council, held in London on 1 and 2 November 2016, the overseas territories and the United Kingdom reiterated their mutual determination to continue to tackle corruption, fraud, money-laundering and the financing of terrorism and weapons of mass destruction and to further enhance transparency and law enforcement cooperation in the context of financial services. They also reiterated their shared commitment to providing the leadership necessary to meet the June 2017 deadline for the implementation of new arrangements regarding the exchange of beneficial ownership information on companies incorporated in their jurisdictions and to continuing to provide the highest levels of law enforcement cooperation possible before that date.

D. Agriculture and fisheries

20. While agricultural activity in Anguilla is limited, in the 2017 budget address, it was stated that in 2017, the Department of Agriculture would commence implementation of the national strategic plan for agriculture, which was finalized in 2016, to encourage local food production and provide support to egg producers.

21. Fishing is significant to the livelihoods of many Anguillans, generating direct revenue for more than 200 people, with many more fishing on a subsistence basis. The contribution of fisheries to the Territory's GDP in 2012 was estimated at around 2 per cent. As previously reported, Anguilla is using less than one quarter of its exclusive fishing zone to the north of the island.

22. Since 2013, the administering Power has been discussing the possibility of assisting the territorial Government in investigating whether commercial fisheries might be established in the Territory. The territorial Government submitted a proposal to conduct studies in the exclusive fishing zone to determine the stock and species abundance and also committed to secure sufficient budget for the project in 2015. According to the administering Power, the Anguilla Fisheries Development Plan, adopted by the Executive Council in April 2016, outlines the work needed to ensure the optimal and sustainable exploitation of Anguilla's fisheries resources. In the 2017 budget address, the territorial Government stated that in 2017, the focus would be on investments in the fishing industry through the implementation of

special partnership agreements for foreign industrial fishing, and that such a development could double the contribution of fishing to the GDP of the Territory.

E. Infrastructure

23. According to information provided by the administering Power, Anguilla has approximately 110 km of public roads, 80 per cent of which are paved. In addition, the Anguilla road network comprises approximately 140 km of paved roads and 120 km of gravel roads. Infrastructure development continues to be low as a result of the recent economic downturn.

24. The Anguilla Air and Sea Ports Authority, a semi-autonomous self-sustaining entity, manages the operations of the airport and seaports on a commercial basis. Clayton J. Lloyd International Airport, situated on the outskirts of The Valley, is the only airport on the island and serves both commercial and private aircraft, including a fixed-base operator facility. There are flights to and from the international airports of Antigua, Sint Maarten/Saint Martin and Puerto Rico. In addition, the ferry and charter boat service between Anguilla and Sint Maarten/Saint Martin is the main international transportation link between Anguilla and the major international gateways.

F. Transportation and communications

25. Taxis are the only form of public transport in Anguilla; however, car rental is widely available. Anguilla has a modern internal telephone system with multiple external gateways, including several microwave relays to Sint Maarten/Saint Martin, and a fibre landing point on Tortola for international calls, with competition in mobile, landline and Internet services.

IV. Social conditions

A. General

26. The social security scheme of the Territory is overseen by the Anguilla Social Security Board. The Department of Social Development offers basic social services to the public.

27. In 2015, the territorial Government, though the Department of Social Development, contributed EC$ 3.6 million (accounting for more than three quarters of the overall budget of the Department) in assistance to needy and vulnerable persons. According to information provided by the administering Power, 122 persons (54 males and 68 females) received the public assistance in the form of a monthly financial contribution. A large proportion of the assistance was for medical services, owing in part to their high cost and the limited services available in the Territory. According to the administering Power, the enactment of the Social Protection Act, 2015, increased assistance to vulnerable people.

28. The Ministry of Social Development continues to sensitize stakeholders to the importance of adhering to the Inter-Agency Child Protection Protocol, which was

developed in collaboration with the United Nations Children's Fund (UNICEF), to ensure that all agencies responsible for safeguarding children work collectively to respond to child abuse and neglect. In addition, according to the administering Power, in 2016, outreach to stakeholders and the general public continued under the campaign entitled "Follow-up to the Break the Silence", through the National Anti-bullying Campaign Initiative funded by UNICEF and the Department for International Development of the Government of the United Kingdom, which offers support to execute programmes that focus on anti-bullying, sexual abuse, domestic violence, corporal punishment and child-friendly schools.

29. In terms of the legislative framework relating to social issues, as at December 2016, the Status of Children bill, 2016, and the Maintenance of Children bill, 2016, which had been finalized and for which public consultation events had been held, were going through the process of final drafting in preparation for passage in the House of Assembly, according to the administering Power.

B. Education

30. In Anguilla, education is free and compulsory between the ages of 5 and 17 years, benefiting some 2,700 pupils. The Department of Education provides continuing professional development for all teachers, with emphasis on supporting new teachers.

31. Anguilla Community College offers, among others, associate degrees and a postgraduate diploma. The Open Campus of the University of the West Indies offers fully accredited tertiary education in Anguilla from the certificate to the doctoral levels. In addition, according to the administering Power, a private medical school based in the United States has a campus in the Territory offering the basic sciences to its students, who are mostly from the United States.

32. Students from overseas territories benefit from the home student rate for school fees at British universities, provided that they have lived in a British overseas territory, the European Economic Area or Switzerland for the three years prior to the first academic year of their course of study. In accordance with the decision taken in November 2013 by the Council of the European Union on the association of the overseas countries and territories with the European Union, the European Union provides for access to, among others, horizontal European Union funds, such as those for higher education and vocational education.

C. Public health

33. The Health Authority of Anguilla is responsible for all primary, secondary and personal health-care services. There are three health districts in the Territory, featuring four health centres, one polyclinic and one hospital, the Princess Alexandra Hospital. Cases requiring major surgery are usually evacuated to a neighbouring island.

34. The Ministry of Social Development regulates and monitors the public and private health sectors, including the Health Authority, and carries out policymaking

and regulatory functions, operating within the framework of the National Health Strategic Plan 2015-2020.

D. Crime and public safety

35. According to information provided by the administering Power, Anguilla has a low crime rate compared with other jurisdictions in the region. However, gun-related crime has affected communities in Anguilla, which resulted in some changes in the Anguilla Police Act. In addition, according to the administering Power, law enforcement added a canine unit in its fight against firearm crimes. Other initiatives taken include joint border agency training and operational activities in the fight against organized crime and gang activity, in addition to various community-based activities.

36. The Money-Laundering Reporting Authority is the central body responsible for the receipt, analysis and dissemination of information pertaining to the suspicion of proceeds derived from criminal activities and provides strategic oversight of the financial intelligence function. The Anguilla Financial Intelligence Unit, a dedicated, specialist unit within the Royal Anguilla Police Force, is delegated by the Authority to perform the day-to-day operational functions to carry out a wide variety of financial crime investigations, including money-laundering.

37. During 2016, the United Kingdom continued to provide funding for a law enforcement adviser based in Miami, United States, who coordinated, managed and facilitated training and the provision of strategic advice in order to introduce new techniques and skills to the Territory's law enforcement agencies. Furthermore, the HMS *Mersey* and RFA *Wave Knight* were in the Caribbean, from January to July and from July to December 2016, respectively, as part of the North Atlantic patrol tasking of the Royal Navy, ensuring a year-round maritime presence of the United Kingdom and providing humanitarian assistance, disaster relief and crisis communications support in the region. Both ships also worked with other regional navies and coast guards to combat illegal activities on the high seas. During the hurricane season, a larger Royal Navy or Royal Fleet Auxiliary ship is on standby to provide humanitarian and disaster relief support to Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Montserrat and the Turks and Caicos Islands.

E. Human rights

38. The Territory's Constitution provides that every person in Anguilla is entitled to life, liberty, security of person, the enjoyment of property, protection of the law, freedom of conscience, expression and peaceful assembly and association, and respect for his or her private and family life. The Convention on the Rights of the Child, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention on the Elimination of All Forms of Racial Discrimination have been extended to Anguilla. The European Convention on Human Rights also applies to Anguilla, with individuals having the right to bring cases to the European Court of Human Rights where no other remedy exists in the Territory. In March 2016, the Convention on the Elimination of All Forms of Discrimination against Women was extended to Anguilla.

39. In the communiqué adopted at the fifth meeting of the Overseas Territories Joint Ministerial Council, the United Kingdom and the overseas territories, including Anguilla, agreed to work together to conduct a review of reservations to core United Nations human rights treaties ahead of the preparation of the report of the United Kingdom under the universal periodic review conducted by the Human Rights Council, to be submitted in 2017. They also committed themselves to working together to further develop the capacity of territories' national human rights institutions, where established, in line with the international standards set out in the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles), and to deepening understanding of their shared obligations with regard to international human rights.

V. Environment

40. The Department of the Environment, the Agriculture Department, the Department of Fisheries and Marine Resources, the Department of Health Protection and the Anguilla National Trust are the principal entities dealing with environmental issues.

41. In the communiqué adopted at the fifth meeting of the Overseas Territories Joint Ministerial Council, in 2016, the Government of the United Kingdom and the overseas territories recognized the impact that climate change had on the economies, infrastructure and ecosystems of the territories and the important interest of the overseas territories in international efforts to combat and mitigate the effects of climate change. The Government of the United Kingdom committed itself to consulting with territorial Governments on the issue of the application of the Paris Agreement to the territories. It reiterated its full commitment to consulting the overseas territories ahead of its participation in international forums on climate change to ensure that their priorities were taken into account and to including them in delegations, where appropriate, while welcoming the territories' links with regional and international organizations.

VI. Relations with international organizations and partners

42. Since 1998, the Territory has been an associate member of the Economic Commission for Latin America and the Caribbean. Since 2011, it has maintained a formal dialogue with the International Monetary Fund.

43. Anguilla participates in the Caribbean Community as an associate member. It is a member of the Caribbean Development Bank, the Caribbean Financial Action Task Force and the Caribbean Regional Fisheries Mechanism.

44. Anguilla is an associate member of the Organization of Eastern Caribbean States and a member of the Eastern Caribbean Central Bank.

45. As a Non-Self-Governing Territory of the United Kingdom, Anguilla is associated with the European Union but is not a part of it. According to the United Kingdom, the Territory has yet to establish a relationship with the European Union in the context of the European Union Economic Partnership Agreement. As the main instrument for providing development aid to African, Caribbean and Pacific

countries and overseas countries and territories by the European Union, the eleventh European Development Fund (2014-2020) allocated €14 million (approximately ECS 42.9 million) for the territorial programme of Anguilla. At the fifth meeting of the Overseas Territories Joint Ministerial Council, in 2016, the United Kingdom committed itself to involving Gibraltar and the overseas territories as it prepared for negotiations to leave the European Union, in accordance with their various constitutional relationships with the United Kingdom, to ensure that their priorities were taken into account.

46. The territorial Government cooperates directly with Caribbean Governments and participates in regional projects of various international organizations and agencies, including the Pan American Health Organization.

VII. Future status of the Territory

A. Position of the territorial Government

47. Developments in constitutional reform efforts involving the future status of Anguilla are referred to in section I above.

B. Position of the administering Power

48. At the 7th meeting of the Special Political and Decolonization Committee (Fourth Committee), on 10 October 2016, during the seventy-first session of the General Assembly, the representative of the United Kingdom stated that the relationship of the Government of the United Kingdom with its overseas territories was a modern one based on partnership, shared values and the right of the people of each Territory to choose to remain British.

49. He went on to say that, since the publication in June 2012 by the Government of the United Kingdom of a white paper entitled *The Overseas Territories: Security, Success and Sustainability*, his Government had worked closely with the overseas territories to further develop those partnerships. At annual meetings of the Overseas Territories Joint Ministerial Council, the United Kingdom and the territories reviewed strategy and commitments and, in 2015, the United Kingdom had affirmed its commitment to the advancement of the peoples of the territories, their just treatment and protecting them from abuses and the importance of promoting their right to self-determination. His Government's fundamental responsibility was to ensure the security and good governance of the territories and their peoples.

50. In the communiqué adopted at the fifth meeting of the Overseas Territories Joint Ministerial Council, the Government of the United Kingdom and the leaders of the overseas territories stated that the principle of equal rights and self-determination of peoples, as enshrined in the Charter of the United Nations, applied to the peoples of the overseas territories. They reaffirmed the importance of promoting the right of the peoples of the territories to self-determination, a collective responsibility of all parts of the Government of the United Kingdom. They committed themselves to exploring ways in which the overseas territories could maintain international support in countering hostile sovereignty claims. It was

also stated that, should a Territory with a permanent population wish it, the United Kingdom would continue to support its request to be removed from the list of Non-Self-Governing Territories. They agreed that the fundamental structure of their constitutional relationships was the right one — powers were devolved to the elected Governments of the territories to the maximum extent possible consistent with the United Kingdom's retaining those powers necessary to discharge its sovereign responsibilities. They also agreed upon the need to continue their engagement on those issues to ensure that constitutional arrangements worked effectively to promote the best interests of the territories and of the United Kingdom.

VIII. Action taken by the General Assembly

51. On 6 December 2016, the General Assembly adopted, without a vote, resolution 71/109, on the basis of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2016 (A/71/23) and the subsequent recommendation by the Fourth Committee. In that resolution, the Assembly:

(a) Reaffirmed the inalienable right of the people of Anguilla to self-determination, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

(b) Also reaffirmed that, in the process of decolonization of Anguilla, there was no alternative to the principle of self-determination, which was also a fundamental human right, as recognized under the relevant human rights conventions;

(c) Further reaffirmed that it was ultimately for the people of Anguilla to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that connection called upon the administering Power, in cooperation with the territorial Government and appropriate bodies of the United Nations system, to develop political education programmes for the Territory in order to foster an awareness among the people of their right to self-determination in conformity with the legitimate political status options, based on the principles clearly defined in Assembly resolution 1541 (XV) and other relevant resolutions and decisions;

(d) Welcomed the preparations made for a new constitution, and urged that constitutional discussions with the administering Power, including public consultations, be concluded as soon as possible;

(e) Requested the administering Power to assist the Territory in its current efforts with regard to advancing the internal constitutional review exercise, if requested;

(f) Stressed the importance of the previously expressed desire of the territorial Government for a visiting mission by the Special Committee on the

Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, called upon the administering Power to facilitate such a mission, if the territorial Government so desired, and requested the Chair of the Special Committee to take all the necessary steps to that end;

(g) Requested the administering Power to assist the Territory by facilitating its work concerning public consultative outreach efforts consistent with Article 73 *b* of the Charter, and in that regard called upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

(h) Called upon the administering Power to assist the territorial Government in strengthening its commitments in the economic domain, including budgetary matters, with regional support as needed and appropriate;

(i) Welcomed the active participation of the Territory in the work of the Economic Commission for Latin America and the Caribbean;

(j) Stressed the importance of the Special Committee being apprised of the views and wishes of the people of Anguilla and enhancing its understanding of their conditions, including the nature and scope of the existing political and constitutional arrangements between Anguilla and the administering Power;

(k) Called upon the administering Power to participate in and cooperate fully with the work of the Special Committee in order to implement the provisions of Article 73 *e* of the Charter and the Declaration and in order to advise the Committee on the implementation of the provisions under Article 73 *b* of the Charter on efforts to promote self-government in Anguilla, and encouraged the administering Power to facilitate visiting and special missions to the Territory;

(l) Reaffirmed the responsibility of the administering Power under the Charter to promote the economic and social development and preserve the cultural identity of the Territory, and requested the administering Power to take steps to enlist and make effective use of all possible assistance, on both a bilateral and a multilateral basis, in the strengthening of the economy of the Territory;

(m) Took into account the 2030 Agenda for Sustainable Development,[1] including the Sustainable Development Goals, stressed the importance of fostering the economic and social sustainable development of the Territory by promoting sustained, inclusive and equitable economic growth, creating greater opportunities for all, reducing inequalities, raising basic standards of living, fostering equitable social development and inclusion and promoting the integrated and sustainable management of natural resources and ecosystems that supported, inter alia, economic, social and human development, while facilitating ecosystem conservation, regeneration, restoration and resilience in the face of new and emerging challenges, and strongly urged the administering Power to refrain from undertaking any kind of illicit, harmful and unproductive activities, including the use of the Territory as a tax haven, that were not aligned with the interest of the people of the Territory;

[1] General Assembly resolution 70/1.

(n) Requested the Territory and the administering Power to take all measures necessary to protect and conserve the environment of the Territory against any degradation, and once again requested the specialized agencies concerned to monitor environmental conditions in the Territory and to provide assistance to the Territory, consistent with their prevailing rules of procedure;

(o) Requested the Special Committee to continue to examine the question of Anguilla and to report thereon to the General Assembly at its seventy-second session and on the implementation of the resolution.

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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Bermuda

Working paper prepared by the Secretariat

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Note: The information contained in the present working paper has been derived from public sources, including those of the territorial Government, and from information transmitted to the Secretary-General by the administering Power under Article 73 *e* of the Charter of the United Nations. Information was transmitted by the administering Power on 8 December 2016. Further details are contained in previous working papers, available from www.un.org/en/decolonization/workingpapers.shtml.

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The Territory at a glance

Territory: Bermuda is a Non-Self-Governing Territory, as defined under the Charter of the United Nations, administered by the United Kingdom of Great Britain and Northern Ireland.

Representative of administering Power: Governor John Rankin (December 2016).

Geography: Bermuda is located in the western part of the Atlantic Ocean, approximately 917 km east of the North Carolina coast of the United States of America. It consists of 8 major and 130 smaller islands.

Land area: 53.35 km².

Exclusive economic zone: 450,370 km²

Population: 61,695 (2016 projection)

Life expectancy at birth: 81.3 years (men: 77.5 years; women: 85.41 years (2016 estimate))

Ethnic composition: Approximately 54 per cent black, 31 per cent white and 15 per cent mixed and other races (2010)

Language: English

Capital: Hamilton

Head of territorial Government: Premier Michael Dunkley

Main political parties: One Bermuda Alliance; Progressive Labour Party

Elections: Most recent: 17 December 2012; next: due to be held by December 2017

Legislature: Bicameral legislature, comprising an 11-member Senate appointed by the Governor (3 at his or her discretion, 5 on the advice of the Premier, 3 on the advice of the leader of the Opposition) and the 36-member House of Assembly, elected in 36 constituencies for up to a five-year term.

Gross domestic product per capita: $96,018 (2015)

Economy: Financial services, tourism

Main trading partners: United States, Canada, United Kingdom, and States members of the Caribbean Community

Unemployment rate: 7 per cent (2015)

Monetary unit: Bermuda dollar, pegged at parity with the United States dollar

Brief history: Bermuda was discovered in 1505 by the Spanish explorer Juan de Bermudez, and by 1510, it was referred to as "La Bermuda". It remained uninhabited until 1609, when British settlers on their way to Virginia were shipwrecked on one of its reefs. In 1612, King James I extended the charter of the Virginia Company to include Bermuda. After the Company's charter was annulled in 1684, government passed to the British Crown.

I. Constitutional, legal and political issues

1. The 1968 Constitution of Bermuda has been amended on five occasions, with the most recent revision being in 2003. According to the administering Power, the Constitution gives the Territory almost full internal self-government, leaving the United Kingdom of Great Britain and Northern Ireland with a minimum number of constitutional controls. The Governor (and Commander-in-Chief), appointed by the British Crown, is responsible for defence, external affairs, internal security and the police.

2. The Territory has a parliamentary system of government, comprising a governor, a deputy governor, a cabinet and a bicameral legislature. The Governor appoints as Premier the member of the House of Assembly who appears to be best able to command the confidence of a majority of the 36 members of the House, each of whom represents a parliamentary constituency. The Premier heads a cabinet that consists of the Premier and not less than six other Ministers.

3. The law and legal system of Bermuda are based on the application of English common law and the principles of equity, the legislation of the United Kingdom (in force since 1612) that has been extended to Bermuda and acts of the Bermudan Parliament. The judiciary is appointed on the advice of the Chief Justice. There are three courts: the Magistrates' Court, the Supreme Court and the Court of Appeal. The British Overseas Territories Act 2002 provides for the conferral of British citizenship on citizens of British overseas territories.

4. Voters in the general elections or referendums must be 18 years of age and Bermudian by birth or status or non-Bermudian electors on the register as at 1 May 1976. The current Premier, Michael Dunkley, of One Bermuda Alliance, took office on 20 May 2014, succeeding Craig Cannonier, of the same political party, who stepped down from the position. One Bermuda Alliance holds a two-seat majority in the House of Assembly.

5. In 1995, a referendum was held on the question of independence. Of the 58.8 per cent of eligible voters who participated, a small number by Bermudian standards according to the administering Power, 73.6 per cent voted against independence. The then-opposition party, the Progressive Labour Party, had organized a boycott of the referendum among supporters of independence, arguing that the issue should be resolved by general election.

6. In its 2005 report, the Bermuda Independence Commission noted that the racial question had been an ever-present feature of the social, economic and political landscape of Bermuda throughout its history. Racial divisions in Bermuda have, in significant measure, played out in support for, or in opposition to, independence and the method to be used to ascertain the wishes of the population. The Progressive Labour Party, which was the ruling party in 2005, wanted the issue of independence to be settled in the context of an election. The Progressive Labour Party reportedly remains publicly committed to pursuing a policy of disengagement from the United Kingdom. On the other hand, the United Bermuda Party, a forerunner of One Bermuda Alliance, favoured a referendum. The Commission concluded that it was incumbent upon both political parties to share the merits of each method.

II. Budget

7. The fiscal year of the Territory begins in April. According to the administering Power, the funding priorities for the 2015/16 budget continue to be the economy, education, health care and law enforcement. The budget of $1.11 billion and the associated economic stimulus measures were designed to meet the policy objectives in the above-mentioned key areas. Additional budgetary information can be found in the relevant sections below. Government statistics indicate that for the thirteenth consecutive year, the revenue of the Territory in the 2015/16 fiscal year fell short of its expenditure. According to the 2016/17 budget statement, delivered in February 2016, the revenue estimate for that fiscal year is $996.9 million, which is $65.6 million higher than the original estimate for the previous year, while the expenditure estimate is $921.6 million.

III. Economic conditions

A. General

8. The economy of Bermuda is based primarily on the provision of financial services for international businesses and on tourism. According to the administering Power, the industrial sector is small and agriculture is limited, since only about 20 per cent of the land is arable.

9. According to official statistics, the gross domestic product (GDP) of Bermuda in current prices for 2015 was $5.9 billion, a 4 per cent increase from 2014 ($5.7 billion). In 2015, all but 2 (transport and communication, and financial intermediation) of the 15 industries in Bermuda recorded growth in value added. Among the 15, agriculture, forestry and fishing grew by the highest percentage, 14.0 per cent (an increase from $36.7 million to $41.9 million). This was attributed primarily to landscaping and gardening activity, followed by the industry of other community, social and personal services, which grew by 13.7 per cent, resulting from recreational, cultural and sporting activities related to the hosting of the America's Cup races, which will be held in 2017. This increase in economic growth translated to a 4.1 per cent increase in GDP per capita in 2015, which amounted to $96,018. In addition, according to official statistics for the second quarter of 2016 the quarterly GDP at current prices was estimated at $1.44 billion, representing a 2.7 per cent increase on a year-over-year basis.

10. According to the administering Power, the territorial Government is continuing its two-track strategy to improve the economy while simultaneously reigning in government expenditure and public debt. In 2016/17, the territorial Government is continuing to focus on the traditional pillars of the economy, namely, international business and tourism, and to bring in foreign investment, which is vital to a sustained recovery.

B. Financial services

11. According to the administering Power, Bermuda is one of the world's leading international financial and business centres; the sector accounts for about 27 per cent of its GDP. Bermuda is also one of the major jurisdictions worldwide in the fields of large-scale insurance and reinsurance.

12. The Bermuda Monetary Authority, the integrated regulator of the financial services sector, has the power to levy civil fines. The Territory has no central bank. The peg to the United States dollar is managed by commercial banks meeting supply and demand at a one-to-one rate. The banks, rather than the Authority, own the foreign exchange reserves of Bermuda.

13. According to information provided by the administering Power, in the first six months of 2016, 399 new international companies and partnerships were registered in Bermuda, equalling the number of new companies registered in the corresponding period of 2015. In addition, Bermuda registered a total of 22 new insurers and 12 new intermediaries during the first six months of 2016.

14. According to the administering Power, Bermuda has never been a jurisdiction with bank secrecy laws and has maintained a private beneficial ownership register since the 1940s. The existing register contains the details of the ultimate owners of the private corporate entities operating in Bermuda. It is a central register held by a public authority and, as ownership changes over time, it is updated using an active automatic system. Under the regulatory legislation, there are provisions for financial institutions regarding controlling shareholders that require the approval of such persons by the Bermuda Monetary Authority.

15. For more than 70 years, Bermuda has required persons wishing to incorporate a company there to provide information on the ultimate beneficial owner. Currently, such persons are vetted by the Authority (subject to a 10 per cent controller threshold). Transfers of shares to non-Bermudians are also subject to vetting by the Authority. The Authority retains all of the information on the ultimate beneficial owner, which is provided to the Authority as part of the vetting process.

16. The Government exchanges the information with the competent authorities of the United Kingdom and of the United States of America, with which it has entered into international agreements. In April 2016, Bermuda concluded a bilateral arrangement with the United Kingdom on the reciprocal exchange of beneficial ownership information. According to the administering Power, this arrangement, under which law enforcement authorities will have timely access to beneficial ownership information on corporate and legal entities incorporated in the respective jurisdictions, is due to come into effect by June 2017. In the communiqué adopted at the fifth meeting of the Overseas Territories Joint Ministerial Council, held in London on 1 and 2 November 2016, the overseas territories and the United Kingdom reiterated their mutual determination to continue to tackle corruption, fraud, money-laundering and the financing of terrorism and weapons of mass destruction and to further enhance transparency and law enforcement cooperation in the context of financial services. They also reiterated their shared commitment to providing the leadership necessary to meet the June 2017 deadline for the implementation of new arrangements regarding the exchange of beneficial ownership information on

companies incorporated in their jurisdictions and to continuing to provide the highest levels of law enforcement cooperation possible before that date.

17. In September 2013, Bermuda joined the Multilateral Convention on Mutual Administrative Assistance in Tax Matters of the Organization for Economic Cooperation and Development (OECD) to facilitate cooperation between jurisdictions in the assessment and collection of taxes, in particular to combat tax avoidance and evasion. The Convention came into force on 1 March 2014. According to the information provided by the administering Power, Bermuda has 106 tax information exchange multilateral agreement partners through its participation in the Convention (with the Group of 20 countries, members of OECD and all States members of the European Union and other countries).

C. Tourism

18. Government statistics indicate that in 2015, 597,210 travellers visited Bermuda (up from 580,260 in 2014), spending a total of $333.1 million (down from $347.9 million in 2014) and directly accounting for 2 per cent of GDP. During the same year, 7.5 per cent of the workforce of the Territory was directly or indirectly employed in tourism, which directly generated 2,509 jobs, a decrease from 2,811 in 2014. With regard to visitors, in 2015, there were 377,396 cruise passengers (up from 355,880 in 2014) and 219,814 air visitors (down from 224,380 in 2014).

19. According to the administering Power, the budget allocated to the Ministry of Tourism Development and Transport for 2016/17 was about $27.8 million, $22.7 million of which was granted to the Bermuda Tourism Authority. The hotel and restaurant sector contributed 4.2 per cent of GDP.

D. Construction

20. According to the administering Power, in 2015, the construction and quarrying sector grew by 6.7 per cent from the previous year, to a value of $190.6 million. Of the work performed, 35 per cent was on residential properties, with 72 per cent undertaken by the private sector and 28 per cent by the public sector. Several hotel developments are ongoing, the new airport terminal is expected to break ground in early 2017 and various other work is to be undertaken in preparation for the hosting of the thirty-fifth America's Cup in 2017.

E. Transport and communications

21. With a network of some 200 km of paved public roads and 400 km of private roads, Bermuda has a high road traffic density, with approximately 79 vehicles per km in 2016. Restrictions on car ownership to one per household, coupled with a policy of allowing no rental cars, have resulted in the development of a public transportation system of buses and ferries. According to the administering Power, Bermuda is in the process of amending its legislation (Motor Car Act 1951) to allow the rental of mini cars for the first time. As at November 2016, a total of 47,256 road vehicles were registered, an increase for the first time in six years.

22. Regular commercial flights connect Bermuda to a number of destinations in the United States, Canada and the United Kingdom. Bermuda has its own air and ship regulatory agencies, with registries maintained by the Civil Aviation Authority and the Bermuda Shipping and Maritime Authority.

23. Government statistics indicate that in 2014/15, the total number of telephone subscribers, approximately 35,000, was the lowest since 1989/90, considered to be a result of the shift towards the use of cellular devices over landlines. According to the report entitled "State of information and communication technology in Bermuda 2014/15", published by the territorial Government, 89 per cent of households and 99 per cent of businesses have access to the Internet.

IV. Social conditions

A. General

24. According to the administering Power, in 2015/16, the Ministry of Community, Culture and Sports was allocated some $88.6 million, around 61.6 per cent of which was designated to ensure access by individuals with insufficient resources to financial assistance.

B. Labour

25. According to official employment data, in 2015, for the seventh consecutive year, job losses were reported in Bermuda. The total number of positions filled in 2015 was 33,319, falling by 156, or 0.5 per cent, from 33,475 jobs in 2014. The breakdown of filled jobs by gender showed that women accounted for 69 fewer positions in 2015, while men represented 87 of the total decline, compared with the previous year. The number of Bermudian job holders also fell to 23,576 in 2015 from 23,833 in 2014. The territorial Government estimates the unemployment rate in 2015 at 7 per cent.

26. The Ministry of Home Affairs has been responding to the challenges created by strengthening its core programmes that assist the population in finding employment and training the workforce to meet the criteria for the jobs that are available. In 2014, the Ministry brought together the public and private sectors to devise strategies to improve the economy and generate new jobs, which led to the development of the National Training Plan. Part 1 of the Plan, published in 2014, analysed major economic sectors in order to understand the current job market and determine the way forward for a sustainable workforce in Bermuda. According to the administering Power, Part 2 of the Plan is due to be published in early 2017 and is expected to address strategies for implementation.

27. The Bermuda Job Board, an online national employment database operated by the Department of Workforce Development since November 2013, is available to Bermudians who are seeking employment, with the main objective of consolidating and centralizing the jobs available in Bermuda so as to help to connect workers and employers, allow more opportunities for qualified Bermudians to find employment and ultimately reduce the need for work permit applications. According to the

administering Power, as at November 2016, more than 1,450 employers and more than 8,900 candidates were registered on the Job Board.

28. The Law Reform Committee, established by the Minister of Home Affairs and tasked to review, update and improve the legislative framework for labour, continued its work on the consolidation of labour laws. According to the administering Power, draft legislation is expected to be presented during the 2017 summer legislative session.

29. The new work permit policy, which came into effect on 1 March 2015, contains information on work permit categories, with the aim of encouraging new business start-ups in Bermuda and increasing job opportunities for Bermudians, spouses of Bermudians and permanent residents.

C. Education

30. According to the administering Power, the Ministry of Education was provided with a budget allocation of about $124.5 million for 2016/17 to support its overall objective of providing strategic leadership, supervision and policy direction for the delivery of a high-quality educational curriculum.

31. Education in Bermuda is compulsory and it is free in public schools for all children from 5 to 18 years of age. According to the information provided by the administering Power, there are 10 preschools, 18 primary schools, 5 middle schools, 1 special-needs school and 2 senior secondary schools in the public school system, which had a student population of 5,068 in September 2016. There are a number of private schools, including six offering early primary education, serving some 40 per cent of the pupils of compulsory school age. Those institutions receive no government funding. The total school enrolment in 2016, which included public and private schools and Bermuda College, was 9,658.

32. Bermuda College, the main facility in the Territory for tertiary education, is accredited by the New England Association of Schools and Colleges through its Commission on Institutions of Higher Education. According to the administering Power, the college offers university transfer and vocational and workforce development programmes. It identified 15 institutions with which it has articulation agreements (a process by which one institution matches its courses or requirements to coursework completed at another institution), whereas some of those same institutions have multiple agreements for different programmes. The College also has a list of more than 100 colleges and universities to which local graduates have successfully transferred after leaving it. Students from overseas territories benefit from the home student rate for school fees at British universities provided that they have lived in a British overseas territory, the European Economic Area or Switzerland for the three years prior to the first academic year of their course of study.

D. Public health

33. For 2016/17, the Ministry of Health, Seniors and Environment was provided with a budget of $194.4 million, representing 17.5 per cent of the total government expenditure, according to the information provided by the administering Power. In

addition to regulation, the Ministry provides policy direction for the health sector, including an acute care hospital, a psychiatric hospital, regulatory bodies for health professionals and health insurance, public health services and the private health sector. The Territory has a hybrid health financing system consisting of direct public funding and social health insurance, supported by government subsidies.

34. Bermuda has an ageing population and a low fertility rate. According to the statistics provided by the administering Power, 17 per cent of the population was expected to be 65 years or older in 2016, compared with 12 per cent in 2006. In 2014, the total fertility rate was 1.42 births per woman, which is below the replacement level of 2.10 births per woman. According to the administering Power, in 2016, life expectancy at birth was estimated at 81.3 years, with men at 77.5 years and women at 85.41 years. Life expectancy is reported as being four years greater for the white population than for the remainder of the population.

E. Crime and public safety

35. The Ministry of National Security holds administrative responsibility for the Royal Bermuda Regiment, the Bermuda Police Service, the Bermuda Fire and Rescue Service, Border Control and the Department for National Drug Control. The Ministry works to ensure that the agencies and departments under its authority work in tandem to promote all aspects of safety in Bermuda.

36. The Bermuda Police Service remains committed to ensuring public safety through strong enforcement, community engagement and rigorous investigations leading to convictions. According to the administering Power, there was no significant increase in crime in 2016. The Service continues to focus on five operational policing priorities, namely, to: (a) enhance public confidence; (b) provide highly visible front-line policing; (c) respond quickly to emergencies; (d) conduct timely, quality-focused investigations; and (e) protect vulnerable people. The inter-agency gang task force continues to provide programmes aimed at intercepting and curbing gang-related crime.

37. During 2016, the United Kingdom continued to provide funding for a law enforcement adviser based in Miami, United States, who coordinated, managed and facilitated training and the provision of strategic advice in order to introduce new techniques and skills to the Territory's law enforcement agencies. Furthermore, the HMS *Mersey* and RFA *Wave Knight* were in the Caribbean, from January to July and from July to December 2016, respectively, as part of the North Atlantic patrol tasking of the Royal Navy, ensuring a year-round maritime presence of the United Kingdom and providing humanitarian assistance, disaster relief and crisis communications support in the region. Both ships also worked with other regional navies and coast guards to combat illegal activities on the high seas. During the hurricane season, a larger Royal Navy or RFA ship is on standby to provide humanitarian and disaster relief support to Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Montserrat and the Turks and Caicos Islands.

F. Human rights and related issues

38. Core international and European human rights instruments are applied in Bermuda, including the European Convention for the Protection of Human Rights and Fundamental Freedoms, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child and the International Convention on the Elimination of All Forms of Racial Discrimination. In addition, as previously reported, the Government is committed to developing a national gender policy to promote equitable decision-making involving the different needs, constraints and priorities with regard to men and women. According to the administering Power, the territorial Government is also preparing to request the extension to Bermuda of the Convention on the Elimination of All Forms of Discrimination against Women, while a reservation to article 2 of the Convention may be necessary. This relates in particular to the requirement set forth in the Convention that there should be equality before the law between men and women, since a non-Bermudian husband of a Bermudian woman has fewer rights than a non-Bermudian wife of a Bermudian man. Such discrimination would not be permitted under the Convention.

39. The Human Rights Commission of Bermuda was established in 1982 to administer the 1981 Human Rights Act with the mission to eliminate discrimination through advocacy, education and enforcement. According to the administering Power, on 1 April 2016, the territorial Government transferred the Human Rights Commission to a non-Ministry entity to allow the Commission to better conform to international best practice with regard to independence while allowing the Government to retain jurisdiction over human rights policy development and associated legislative amendments.

40. In the communiqué adopted at the fifth meeting of the Overseas Territories Joint Ministerial Council, the United Kingdom and the overseas territories, including Bermuda, agreed to work together to conduct a review of reservations to core United Nations human rights treaties ahead of the preparation of the report of the United Kingdom under the universal periodic review conducted by the Human Rights Council, to be submitted in 2017. They also committed themselves to working together to further develop the capacity of territories' national human rights institutions, where established, in line with the international standards set out in the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles), and to deepen understanding of their shared obligations with regard to international human rights.

V. Environment

41. For 2016/17, the budget of the Ministry of Environment and Planning is approximately $23.5 million. Its functions are to lead Bermuda towards sustainability by protecting the island's natural and built environments. This includes the recent recovery of the Bermuda petrel (known locally as the cahow) from near extinction.

42. According to the administering Power, the Ministry of Environment has prioritized the advancement and expansion of the Sargasso Sea Commission, established pursuant to the Hamilton Declaration on Collaboration for the Conservation of the Sargasso Sea, to better manage the wider Sargasso Sea. In 2016, the British Virgin Islands, the Bahamas and Canada joined the Hamilton Declaration, which had originally been adopted on 11 March 2014 by Bermuda, the Azores, Monaco, the United Kingdom and the United States and is a non-binding political commitment by the signatories to work with the Government of Bermuda and the Sargasso Sea Commission to conserve the Sargasso Sea, which is recognized in the Declaration as an important open ocean ecosystem.

43. In addition, in 2016, the Department of Environment and Natural Resources was established by merging two similarly mandated departments, the Department of Conservation Services and the Department of Environmental Protection, as the primary government agency responsible for ensuring the proper use of the natural resources of Bermuda and the protection of the environment within the framework of sustainable development. According to the administering Power, the Department currently focuses on evaluation of domestic legislation, policy and programming to invigorate the agriculture sector and to ensure humane and efficient animal management, more effective invasive species control and overall marine management of the exclusive economic zone of Bermuda.

44. About 98 per cent of the electric power in the Territory is provided by a single private entity, which relies exclusively on fossil fuels to generate electricity. The remaining 2 per cent of electric power is provided by the Tynes Bay waste-to-energy plant, which is owned and operated by the Ministry of Public Works.

45. In the communiqué adopted at the fifth meeting of the Overseas Territories Joint Ministerial Council, in 2016, the Government of the United Kingdom and the overseas territories recognized the impact that climate change had on the economies, infrastructure and ecosystems of the territories and the important interests of the overseas territories in international efforts to combat and mitigate the effects of climate change. The Government of the United Kingdom committed itself to consulting with territorial Governments on the issue of application of the Paris Agreement to the territories. It reiterated its full commitment to consulting with the overseas territories ahead of its participation in international forums on climate change to ensure that their priorities were taken into account and to including them in delegations, where appropriate, while welcoming the territories' links with regional and international organizations.

VI. Military issues

46. Bermuda maintains a defence regiment of some 420 soldiers, namely, the Royal Bermuda Regiment, which includes a long-term "nucleus" of about 140 soldiers and 30 full-time soldiers, in addition to part-time members. According to the administering Power, the Defence Act was amended in 2016 to require that the Regiment be staffed by volunteers. The Government resorts to conscription only if sufficient volunteers cannot fulfil the Regiment's functions. The adult male population of the Territory is subject to conscription by ballot, involving approximately three years of part-time liability for weekly drills in addition to an

annual 15-day camp. All soldiers are paid for their military service. While historically, the ranks of the Regiment have been raised by conscription by ballot, in 2015, the intake was completely volunteer-based for the first time. In addition, according to the administering Power, the Defence Amendment Act 2015 sets out that the required number of members for the Regiment should be raised and maintained through voluntary enlistment and that if that is not met, the Governor may either revise the roles and responsibilities of the Regiment to take account of the shortfall or authorize compulsory enlistment to make up the required numbers.

47. The Regiment regularly cooperates with foreign Governments and militaries, including those of Canada, Jamaica and the United States, and assists in disaster relief operations in other territories administered by the United Kingdom.

48. In addition, according to the administering Power, the Royal Bermuda Regiment Boat Troop assists the Bermuda Police Service with inshore maritime patrolling and policing requirements. According to the administering Power, legislation is under preparation to establish a full-time marine boat troop, to be staffed by solders of the Regiment and to allow the Regiment to fully assume such a responsibility.

VII. Relations with international organizations and partners

49. Bermuda is an associate member of the Economic Commission for Latin America and the Caribbean, the Caribbean Community and the Caribbean Common Market, and a member of the Caribbean Financial Action Task Force, which was set up to combat money-laundering. The Financial Intelligence Agency of Bermuda is a member of the Egmont Group of Financial Intelligence Units, and the Bermuda Monetary Authority is a member of regional and international financial regulatory bodies, including the International Association of Insurance Supervisors, the International Organization of Securities Commissions and the Group of International Finance Centre Supervisors. Bermuda also plays a key role in the Global Forum on Transparency and Exchange of Information for Tax Purposes of OECD as a member of its peer review group. In addition, Bermuda participates in the Sea Turtle Conservancy, the Caribbean-United States Security Cooperation Dialogue, the International Trade Union Confederation, the International Criminal Police Organization and the International Olympic Committee.

50. As a Non-Self-Governing Territory of the United Kingdom, Bermuda is associated with the European Union but is not a part of it. At the fifth meeting of the Overseas Territories Joint Ministerial Council, in 2016, the United Kingdom committed itself to involving Gibraltar and the overseas territories as it prepared for negotiations to leave the European Union, in accordance with their various constitutional relationships with the United Kingdom, to ensure that their priorities were taken into account. Since January 2014, the Territory has been a partner under the 2013 Overseas Association Decision of the Council of the European Union, which was approved, inter alia, in an effort to move from a classic development cooperation approach to a reciprocal partnership that promotes sustainable development and the values and standards of the European Union worldwide.

VIII. Future status of the Territory

A. Position of the territorial Government

51. Information regarding developments on the future status of Bermuda is reflected in section I above.

B. Position of the administering Power

52. At the 7th meeting of the Special Political and Decolonization Committee (Fourth Committee), on 10 October 2016, during the seventy-first session of the General Assembly, the representative of the United Kingdom stated that the relationship of the Government of the United Kingdom with its overseas territories was a modern one based on partnership, shared values and the right of the people of each Territory to choose to remain British.

53. He went on to say that, since the publication in June 2012 by the Government of the United Kingdom of a white paper entitled *The Overseas Territories. Security, Success and Sustainability*, his Government had worked closely with the overseas territories to further develop those partnerships. At annual meetings of the Overseas Territories Joint Ministerial Council, the United Kingdom and the territories had reviewed strategy and commitments and, in 2015, the United Kingdom had affirmed its commitment to the advancement of the peoples of the territories, their just treatment and protecting them from abuses and the importance of promoting their right to self-determination. His Government's fundamental responsibility was to ensure the security and good governance of the territories and their peoples.

54. In the 2016 communiqué adopted at the fifth meeting of the Overseas Territories Joint Ministerial Council, the Government of the United Kingdom and the leaders of the overseas territories stated that the principle of equal rights and self-determination of peoples, as enshrined in the Charter of the United Nations, applied to the peoples of the overseas territories. They reaffirmed the importance of promoting the right of the peoples of the territories to self-determination, a collective responsibility of all parts of the Government of the United Kingdom. They committed themselves to exploring ways in which the overseas territories could maintain international support in countering hostile sovereignty claims. It was also stated that, should a Territory with a permanent population wish it, the United Kingdom would continue to support its request to be removed from the list of Non-Self-Governing Territories. They agreed that the fundamental structure of their constitutional relationships was the right one — powers were devolved to the elected Governments of the territories to the maximum extent possible consistent with the United Kingdom's retaining those powers necessary to discharge its sovereign responsibilities. They also agreed upon the need to continue their engagement on those issues to ensure that constitutional arrangements worked effectively to promote the best interests of the territories and of the United Kingdom.

IX. Action taken by the General Assembly

55. On 6 December 2016, the General Assembly adopted, without a vote, resolution 71/110, on the basis of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2016 (A/71/23) and the subsequent recommendation by the Fourth Committee. In that resolution, the Assembly:

(a) Reaffirmed the inalienable right of the people of Bermuda to self-determination, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

(b) Also reaffirmed that, in the process of decolonization of Bermuda, there was no alternative to the principle of self-determination, which was also a fundamental human right, as recognized under the relevant human rights conventions;

(c) Further reaffirmed that it was ultimately for the people of Bermuda to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that connection called upon the administering Power, in cooperation with the territorial Government and appropriate bodies of the United Nations system, to develop political education programmes for the Territory in order to foster an awareness among the people of their right to self-determination in conformity with the legitimate political status options, based on the principles clearly defined in Assembly resolution 1541 (XV) and other relevant resolutions and decisions;

(d) Stressed the importance of the 2005 report of the Bermuda Independence Commission, which provided a thorough examination of the facts surrounding independence, and continued to regret that the plans for public meetings and the presentation of a Green Paper to the House of Assembly followed by a White Paper outlining the policy proposals for an independent Bermuda had so far not materialized;

(e) Underlined the need further to strengthen good governance, transparency and accountability in government for the benefit of the Territory;

(f) Requested the administering Power to assist the Territory by facilitating its work concerning public educational outreach efforts, consistent with Article 73 *b* of the Charter, and in that regard called upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

(g) Welcomed the active participation of Bermuda in the work of the Economic Commission for Latin America and the Caribbean;

(h) Stressed the importance of the Special Committee being apprised of the views and wishes of the people of Bermuda and enhancing its understanding of their conditions, including the nature and scope of the existing political and constitutional arrangements between Bermuda and the administering Power;

(i) Called upon the administering Power to participate in and cooperate fully with the work of the Special Committee in order to implement the provisions of Article 73 *e* of the Charter and the Declaration and in order to advise the Committee on the implementation of the provisions under Article 73 *b* of the Charter on efforts to promote self-government in Bermuda, and encouraged the administering Power to facilitate visiting and special missions to the Territory;

(j) Reaffirmed the responsibility of the administering Power under the Charter to promote the economic and social development and to preserve the cultural identity of the Territory, and requested the administering Power to take steps to enlist and make effective use of all possible assistance, on both a bilateral and a multilateral basis, in the strengthening of the economy of the Territory;

(k) Took into account the 2030 Agenda for Sustainable Development,[1] including the Sustainable Development Goals, stressed the importance of fostering the economic and social sustainable development of the Territory by promoting sustained, inclusive and equitable economic growth, creating greater opportunities for all, reducing inequalities, raising basic standards of living, fostering equitable social development and inclusion and promoting the integrated and sustainable management of natural resources and ecosystems that supported, inter alia, economic, social and human development, while facilitating ecosystem conservation, regeneration, restoration and resilience in the face of new and emerging challenges, and strongly urged the administering Power to refrain from undertaking any kind of illicit, harmful and unproductive activities, including the use of the Territory as a tax haven, that were not aligned with the interest of the people of the Territory;

(l) Requested the Territory and the administering Power to take all measures necessary to protect and conserve the environment of the Territory against any degradation, and once again requested the specialized agencies concerned to monitor environmental conditions in the Territory and to provide assistance to the Territory, consistent with their prevailing rules of procedure;

(m) Requested the Special Committee to continue to examine the question of Bermuda and to report thereon to the General Assembly at its seventy-second session and on the implementation of the present resolution.

[1] Resolution 70/1.

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British Virgin Islands

Working paper prepared by the Secretariat

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Note: The information contained in the present paper has been derived from public sources, including those of the territorial Government, and from information transmitted to the Secretary-General by the administering Power under Article 73 *e* of the Charter of the United Nations. Information was transmitted by the administering Power on 8 December 2016. Further details are contained in previous working papers available from www.un.org/en/decolonization/workingpapers.shtml.

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The Territory at a glance

Territory: The British Virgin Islands is a Non-Self-Governing Territory under the Charter of the United Nations administered by the United Kingdom of Great Britain and Northern Ireland.

Representative of administering Power: Governor John S. Duncan (August 2014).

Geography: Located approximately 100 km east of Puerto Rico and 25 km from the United States Virgin Islands, the Territory comprises a group of some 60 islands, islets and cays that form an archipelago with the United States Virgin Islands. Twenty of the islands are inhabited. The major islands are Tortola, Virgin Gorda, Anegada and Jost Van Dyke.

Land area: 153 km^2.

Exclusive economic zone: 80,117 km^2.

Population: 28,200 (2010 census), of which 39 per cent are citizens, or "belongers". The great majority of "non-belongers" hail from countries in the Caribbean region, North America and Europe.

Life expectancy at birth: 76.5 years (men: 72.9 years, women: 80.8 years (2015 estimate)).

Language: English.

Capital: Road Town, located on the largest island, Tortola.

Head of territorial Government: Premier Daniel Orlando Smith.

Main political parties: National Democratic Party; Virgin Islands Party.

Elections: Most recent: 8 June 2015; next: due by the end of September 2019.

Legislature: 15-member unicameral House of Assembly.

Gross domestic product per capita: $31,300 (2013 estimate).

Economy: Financial services and tourism.

Main trading partners: The United States of America, the United Kingdom and the States members of the Caribbean Community.

Unemployment rate: 2.8 per cent (2014).

Monetary unit: United States dollar.

Brief history: The earliest known inhabitants of the Territory were the Arawaks and the Caribs, indigenous peoples of the region. The Dutch established the first permanent European settlement in 1648. British planters took control of the islands in 1666 and the Territory attained the status of a British colony.

I. Constitutional, political and legal issues

1. In accordance with the Virgin Islands Constitution Order 2007, the British Crown appoints a governor whose responsibilities include defence, internal security, external affairs, the terms and conditions of service for persons in the public service and the administration of the courts. In some areas of external affairs that relate to certain matters falling within ministerial portfolios, the Constitution provides for the territorial Government to have delegated responsibility. The United Kingdom of Great Britain and Northern Ireland has reserved powers to make laws for the peace, order and good government of the British Virgin Islands. In terms of external relations, the territorial Government is entrusted to negotiate treaties in specific areas, such as matters related to the offshore financial services industry.

2. The 2007 Constitution provided for a more formally structured cabinet-style Government for the executive branch. The Cabinet consists of the Governor; the Premier, appointed by the Governor from among the locally elected members of the House of Assembly; four other Ministers, appointed by the Governor on the advice of the Premier; and one ex officio member, namely, the Attorney General. The Governor presides over the Cabinet but does not have a voting right. The agenda is agreed by the Cabinet Steering Committee, consisting of the Governor, the Premier and the Cabinet Secretary. The House of Assembly consists of a Speaker, the Attorney General (ex officio) and 13 elected members — 9 from one-member electoral districts and 4 representing the Territory at large.

3. General elections are constitutionally mandated to be held at least once every four years. Candidates are elected on the basis of a simple majority. Persons voting must be 18 years of age or over and have "belonger" status. Belonger status includes the right to work without a permit and the right to vote. In practice, a person must reside continuously in the Territory for 20 years before he or she may apply for permanent residence and, subsequently, belonger status. In the general election held on 8 June 2015, the incumbent National Democratic Party led by Premier Daniel Orlando Smith again won a majority, 11 of 13 of seats, whereas the Virgin Islands Party won the remaining seats.

4. The law of the British Virgin Islands comprises the common law of England and legislation that is enacted either by the territorial legislature or by the United Kingdom on behalf of the Territory. The judiciary is administered by the Saint Lucia-based Eastern Caribbean Supreme Court, which consists of the High Court of Justice and the Court of Appeal. There is a magistrates' court, which hears prescribed civil and criminal cases, a juvenile court and a court of summary jurisdiction. There are three resident High Court judges and a visiting Court of Appeal, which comprises the Chief Justice and two judges of appeal and sits twice a year in the Territory. The Privy Council of the United Kingdom is the final court of appeal. The British Overseas Territories Act 2002 provides for the granting of British citizenship to "British Overseas Territory citizens".

5. At the Pacific regional seminar held in Quito from 30 May to 1 June 2012, the representative of the British Virgin Islands stated that the Territory's position was to maintain its current relationship with the administering Power, built on mutual respect and a mature partnership, as the Territory continued to grow. Furthermore, speaking at the Caribbean regional seminar held in Quito from 28 to 30 May 2013,

the representative of the British Virgin Islands stated that, in his view, the Special Political and Decolonization Committee (Fourth Committee) should set specific achievable goals, taking into account the particularities of each territory, in order to further advance the decolonization process in all the territories.

II. Budget

6. The fiscal year of the Government of the British Virgin Islands runs from January to December. According to information provided by the administering Power, the estimated expenditure of the Territory for 2015 amounted to approximately $322.16 million, with estimated revenue of about $317.62 million. According to the 2016 budget address delivered on 8 February 2016, the revenue for 2016 is projected to be approximately $331 million, total recurrent expenditure about $287 million and capital expenditure nearly $42 million.

III. Economic conditions

A. General

7. The two main pillars of the economy of the Territory are tourism and offshore financial services. According to the administering Power, gross domestic product (GDP) for 2014 was $933.77 million, indicating growth of 4.1 per cent compared with the 2013 figures of $897.33 million. According to the medium-term fiscal plan of the territorial Government for the years 2016 to 2018, the economy of the Territory returned to positive growth in 2013, driven by growth in the hotel and restaurant, wholesale and retail and real estate, renting and business activity sectors.

B. Financial services

8. In 2015, financial services constituted approximately one third of overall economic activity in the Territory, as has been the case since 2010. In addition, the revenue from financial services remained unchanged in 2014, at $207.9 million, of which $200 million came from company incorporations and re-registrations, although the number of company incorporations in 2014 was down 4.7 per cent in comparison with 2013.

9. In the first six months of 2016, 16,223 companies were incorporated in the British Virgin Islands, compared with 23,413 companies incorporated during the same period in 2015, a decline of approximately 30 per cent. In 2015, close to 45,000 companies were incorporated in the Territory.

10. In the communiqué adopted at the fifth meeting of the Overseas Territories Joint Ministerial Council, held in London on 1 and 2 November 2016, the overseas territories and the United Kingdom reiterated their mutual determination to continue to tackle corruption, fraud, money-laundering and the financing of terrorism and weapons of mass destruction and to further enhance transparency and law enforcement cooperation in the context of financial services. They also reiterated their shared commitment to providing the leadership necessary to meet the June

2017 deadline for the implementation of new arrangements regarding the exchange of beneficial ownership information on companies incorporated in their jurisdictions and to continuing to provide the highest levels of law enforcement cooperation possible before that date.

11. In April 2016, the British Virgin Islands concluded a bilateral arrangement with the United Kingdom on the reciprocal exchange of beneficial ownership information, which is due to come into effect by June 2017 and will allow law enforcement authorities to have near real-time access to beneficial ownership information on corporate and legal entities incorporated in the respective jurisdictions.

C. Tourism

12. In 2015, more than 922,000 tourists visited the Territory, including some 516,000 cruise ship visitors, 393,000 overnight visitors and nearly 13,000 day trippers. Furthermore, in the first nine months of 2016, a total of 821,099 arrivals was recorded, including more than 315,000 overnight visitors and 491,000 cruise ship visitors.

D. Agriculture and fisheries

13. According to the administering Power, agriculture and fishing accounted for approximately 1.45 per cent of the Territory's GDP in 2014. Most food requirements are met through imports. Approximately 800 ha of land are cultivated and another 4,000 ha are devoted to pasture. The main crops are fruits and vegetables, produced for both local consumption and export. The United States Virgin Islands is the main importer of the agricultural and fishing products of the British Virgin Islands.

14. The Territory's Fisheries Act of 1997 and Fisheries Regulations of 2003 govern small-scale commercial and recreational fisheries, which serve mainly the local market.

E. Communications and infrastructure

15. The British Virgin Islands has more than 200 km of surfaced roads. The Government continues to upgrade road infrastructure and to expand the road network.

16. There are three international airports, including the main international airport, Terrance B. Lettsome International Airport on Beef Island. In January 2016, it was announced that direct flights between the Territory and the mainland of the United States of America would commence, according to the administering Power, by early 2017. The project, undertaken in partnership between the territorial Government and British Virgin Islands Airways, is estimated to cost $7 million over a three-year period. In addition, the territorial Government plans to extend the runway at the Terrance B. Lettsome International Airport to accommodate larger aircraft for direct continental flights. Direct shipping services operate from the Netherlands, the United Kingdom and the United States. A deep-water harbour is located in Road

Town. A regular ferry service links Tortola with some of the islands, as well as with the United States Virgin Islands.

17. The extension of the cruise pier in Tortola, along with landside development, which had commenced in 2014, was completed in early 2016 and was commissioned for service in March 2016. The total cost for completion of the project was estimated at approximately $82 million.

18. Physical planning in the British Virgin Islands is governed by the Physical Planning Act of 2004, under which all development in the Territory must be approved by the Physical Planning Authority.

19. Tortola is reportedly the only island in the Territory with a public sewage system, although it does not cover the entire island. According to the administering Power, the introduction of desalination in the 1980s notwithstanding, there is a need for the further development of the potable water system to meet the needs of the islands and, in 2015, the territorial Government continued to improve the Territory's public water and sewage system.

20. Broadband telecommunications, including Internet service, is available throughout the Territory. There are three major service providers, which are governed by a telecommunications regulatory regime established in 2006.

IV. Social conditions

A. Labour and immigration

21. According to statistics provided by the administering Power, in 2015, the employed population of the Territory was 19,657 persons, more than 60 per cent of whom were foreign workers. A majority of the employment is on the islands of Tortola and Virgin Gorda, sharing 85.1 and 10.8 per cent of the total, respectively.

22. The main employers are the territorial Government (21.3 per cent), followed by hotels and restaurants (16.8 per cent) and real estate, renting and business activity (16.3 per cent). On average, an employed person in the Territory earned $26,938.16 in 2015.

23. According to the administering Power, the total unemployment rate was 2.8 per cent in 2015, which has remained constant since 2010. The Government's Youth Employment Services initiative remains in operation, and efforts to register unemployed young people and provide basic job training and preparation skills through this initiative are ongoing.

24. In November 2014, the 17-member Minimum Wage Advisory Committee was formed on the basis of its approval by the territorial Government on 19 September 2014 in order to consider the effects of raising the minimum wage, which had remained at $4 per hour since 1999. The Committee recommended an increase in the minimum wage to $6 per hour in its report dated 21 July 2015. The report was presented in the House of Assembly on 2 November 2015. Effective 1 October 2016, the minimum wage is $6 per hour.

25. Work permit exemptions are granted by the territorial Government on the basis of enrolment in the school system (entrance at the primary level and completion at the secondary level), marriage to a belonger for a period of no less than three years or residency in the Territory of the British Virgin Islands for 20 years or more by a person who has demonstrated good character. According to the administering Power, the number of exemptions granted is considered on an annual basis.

B. Education

26. The education system in the Territory is guided by the Education Act 2004 and its amendments, including the Education (Amendment) Act 2014. The regulations contained therein are expected to provide guidance to the education system and its stakeholders regarding the implementation of programmes and services, the monitoring of the delivery of education programmes operated under the Act and the conduct of school supervision, including complaint investigations requested by the public.

27. The Territory has 14 public primary schools and 4 public secondary schools, in addition to 1 public pre-primary school and 1 public special education learning centre. There are also a number of private primary and secondary schools.

28. Primary and secondary education is free and compulsory for children aged 5 through 17. Tertiary education is offered for free to Virgin Islanders at the local community college (H. L. Stoutt Community College), which has campuses on Tortola and Virgin Gorda islands. The college also collaborates with several universities outside the Virgin Islands that offer programmes at the bachelor's degree level.

29. Students from overseas territories benefit from the home student rate for school fees at British universities, provided that they have lived in a British overseas territory, the European Economic Area or Switzerland for the three years prior to the first academic year of their course of study. In addition, those students have access to funding provided by the European Union for higher or vocational education.

C. Public health

30. The Health Services Authority of the Territory, a statutory body, was established in 2005 to manage public health-care delivery services. The National Health Insurance, providing universal health-care coverage, was launched in September 2015 and became operational in January 2016.

D. Crime and public safety

31. According to the administering Power, crime in the British Virgin Islands has fallen since 2012, with burglaries decreasing by 50 per cent in the first quarter of 2016, compared with the same period in 2015.

32. During 2016, the United Kingdom continued to provide funding for a law enforcement adviser based in Miami, United States, who coordinated, managed and facilitated training and the provision of strategic advice in order to introduce new techniques and skills to the Territory's law enforcement agencies. Furthermore, the HMS *Mersey* and RFA *Wave Knight* were in the Caribbean, from January to July and from July to December 2016, respectively, as part of the North Atlantic patrol tasking of the Royal Navy, ensuring a year-round maritime presence of the United Kingdom and providing humanitarian assistance, disaster relief and crisis communications support in the region. Both ships also worked with other regional navies and coast guards to combat illegal activities on the high seas. During the hurricane season, a larger Royal Navy or Royal Fleet Auxiliary ship is on standby to provide humanitarian and disaster relief support to Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Montserrat and the Turks and Caicos Islands.

E. Human rights

33. Major international and European human rights conventions have been extended to the British Virgin Islands. Chapter 2 of the 2007 Constitution enshrines fundamental rights and freedoms of the individual and provides for the establishment by law of a human rights commission. According to the administering Power, a bill entitled "Human Rights Commission Act", which had been originally introduced in the House of Assembly in November 2014, was reintroduced in 2016 for the first reading in the House. Some of the powers and duties of the human rights commission to be established include educating the public on the rights and freedoms in the 2007 Constitution and those relating to other international human rights instruments or activities. The judicial system continues to hear matters brought on the grounds of alleged infringements of human rights.

34. The first national policy for gender equity and equality was developed in 2011 with the objective of educating and changing public attitudes on gender roles and responsibilities and developing new strategies to eliminate domestic and other forms of gender-based violence and discrimination in the Territory.

35. In the communiqué adopted at the fifth meeting of the Overseas Territories Joint Ministerial Council, the United Kingdom and the overseas territories, including the British Virgin Islands, agreed to work together to conduct a review of reservations to core United Nations human rights treaties ahead of the preparation of the report of the United Kingdom under the universal periodic review conducted by the Human Rights Council, to be submitted in 2017. They also committed themselves to working together to further develop the capacity of territories' human rights institutions, where established, in line with the international standards set out in the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles), and to deepening understanding of their shared obligations with regard to international human rights.

V. Environment

36. The British Virgin Islands has acceded to several multilateral environmental agreements, including the Convention on International Trade in Endangered Species

of Wild Fauna and Flora, the Convention on Biological Diversity and the Convention on Wetlands. According to the administering Power, since 2015, the Territory has been actively involved in global initiatives and specific projects on climate change adaptation, including the passage of the 2015 Climate Change Trust Fund Act, and in sustainable land management, in partnership with the European Union and the Organization of Eastern Caribbean States.

37. In 2014, the territorial Government passed legislation to establish a permanent shark sanctuary in its territorial waters and prohibit commercial fishing of all shark and ray species throughout those waters. In addition, according to the administering Power, public consultations have been held since 2014 to dedicate six new protected coastal and marine zones.

38. In the communiqué adopted at the fifth meeting of the Overseas Territories Joint Ministerial Council, in 2016, the Government of the United Kingdom and the overseas territories recognized the impact that climate change had on the economies, infrastructure and ecosystems of the territories and the important interest of the overseas territories in international efforts to combat and mitigate the effects of climate change. The Government of the United Kingdom committed itself to consulting with territorial Governments on the issue of the application of the Paris Agreement to the territories. It reiterated its full commitment to consulting the overseas territories ahead of its participation in international forums on climate change to ensure that their priorities were taken into account and to including them in delegations, where appropriate, while welcoming the territories' links with regional and international organizations.

VI. Relations with international organizations and partners

39. The British Virgin Islands has associate membership in the Economic Commission for Latin America and the Caribbean, the International Labour Organization and the United Nations Educational, Scientific and Cultural Organization.

40. The Territory is an associate member of the Caribbean Community, the Caribbean Common Market and the Organization of Eastern Caribbean States and is a borrowing member of the Caribbean Development Bank.

41. The Territory participates annually in meetings of the Inter-Virgin Islands Council between the British Virgin Islands and the United States Virgin Islands with a view to addressing mutual interests and challenges and fostering and promoting cooperation between the two Territories. Topics addressed in the meetings include law enforcement, pleasure boating and sport fishing, other maritime matters, cooperation in tourism, energy and utilities and culture and education.

42. As a Non-Self-Governing Territory of the United Kingdom, the Territory is associated with the European Union but is not a part of it. At the fifth meeting of the Overseas Territories Joint Ministerial Council, in 2016, the United Kingdom committed itself to involving Gibraltar and the overseas territories as it prepared for negotiations to leave the European Union, in accordance with their various constitutional relationships with the United Kingdom, to ensure that their priorities were taken into account.

VII. Future status of the Territory

A. Position of the territorial Government

43. The position of the territorial Government regarding the future status of the British Virgin Islands is reflected under section I, above.

B. Position of the administering Power

44. At the 7th meeting of the Fourth Committee, on 10 October 2016, during the seventy-first session of the General Assembly, the representative of the United Kingdom stated that the relationship of the Government of the United Kingdom with its overseas territories was a modern one based on partnership, shared values and the right of the people of each Territory to choose to remain British.

45. He went on to say that, since the publication in June 2012 by the Government of the United Kingdom of a white paper entitled *The Overseas Territories: Security, Success and Sustainability*, his Government had worked closely with the overseas territories to further develop those partnerships. At annual meetings of the Overseas Territories Joint Ministerial Council, the United Kingdom and the territories reviewed strategy and commitments and, in 2015, the United Kingdom had affirmed its commitment to the advancement of the peoples of the territories, their just treatment and protecting them from abuses and the importance of promoting their right to self-determination. His Government's fundamental responsibility was to ensure the security and good governance of the territories and their peoples.

46. In the communiqué adopted at the fifth meeting of the Overseas Territories Joint Ministerial Council, the Government of the United Kingdom and the leaders of the overseas territories stated that the principle of equal rights and self-determination of peoples, as enshrined in the Charter of the United Nations, applied to the peoples of the overseas territories. They reaffirmed the importance of promoting the right of the peoples of the territories to self-determination, a collective responsibility of all parts of the Government of the United Kingdom. They committed themselves to exploring ways in which the overseas territories could maintain international support in countering hostile sovereignty claims. It was also stated that, should a Territory with a permanent population wish it, the United Kingdom would continue to support its request to be removed from the list of Non-Self-Governing Territories. They agreed that the fundamental structure of their constitutional relationships was the right one — powers were devolved to the elected Governments of the territories to the maximum extent possible consistent with the United Kingdom's retaining those powers necessary to discharge its sovereign responsibilities. They also agreed upon the need to continue their engagement on those issues to ensure that constitutional arrangements worked effectively to promote the best interests of the territories and of the United Kingdom.

VIII. Action taken by the General Assembly

47. On 6 December 2016, the General Assembly adopted resolution 71/111 without a vote, on the basis of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2016 (A/71/23) and the subsequent recommendation by the Fourth Committee. In that resolution, the General Assembly:

(a) Reaffirmed the inalienable right of the people of the British Virgin Islands to self-determination, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

(b) Also reaffirmed that, in the process of decolonization of the British Virgin Islands, there was no alternative to the principle of self-determination, which was also a fundamental human right, as recognized under the relevant human rights conventions;

(c) Further reaffirmed that it was ultimately for the people of the British Virgin Islands to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that connection called upon the administering Power, in cooperation with the territorial Government and appropriate bodies of the United Nations system, to develop political education programmes for the Territory in order to foster an awareness among the people of their right to self-determination in conformity with the legitimate political status options, based on the principles clearly defined in Assembly resolution 1541 (XV) and other relevant resolutions and decisions;

(d) Recalled the 2007 Constitution of the British Virgin Islands, and stressed the importance of continued discussions on constitutional matters, to accord greater responsibility to the territorial Government for the effective implementation of the Constitution and increased levels of education relating to constitutional matters;

(e) Requested the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter, and in that regard called upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

(f) Welcomed the active participation of the Territory in the work of the Economic Commission for Latin America and the Caribbean;

(g) Stressed the importance of the Special Committee's being apprised of the views and wishes of the people of the British Virgin Islands and enhancing its understanding of their conditions, including the nature and scope of the existing political and constitutional arrangements between the British Virgin Islands and the administering Power;

(h) Called upon the administering Power to participate in and cooperate fully with the work of the Special Committee in order to implement the provisions of Article 73 *e* of the Charter and the Declaration and in order to advise the Committee on the implementation of the provisions under Article 73 *b* of the Charter on efforts

to promote self-government in the British Virgin Islands, and encouraged the administering Power to facilitate visiting and special missions to the Territory;

(i) Reaffirmed the responsibility of the administering Power under the Charter to promote the economic and social development and to preserve the cultural identity of the Territory, and requested the administering Power to take steps to enlist and make effective use of all possible assistance, on both a bilateral and a multilateral basis, in the strengthening of the economy of the Territory;

(j) Took into account the 2030 Agenda for Sustainable Development, including the Sustainable Development Goals, stressed the importance of fostering the economic and social sustainable development of the Territory by promoting sustained, inclusive and equitable economic growth, creating greater opportunities for all, reducing inequalities, raising basic standards of living, fostering equitable social development and inclusion and promoting the integrated and sustainable management of natural resources and ecosystems that supports, inter alia, economic, social and human development, while facilitating ecosystem conservation, regeneration, restoration and resilience in the face of new and emerging challenges, and strongly urged the administering Power to refrain from undertaking any kind of illicit, harmful and unproductive activities, including the use of the Territory as a tax haven, that are not aligned with the interest of the people of the Territory;

(k) Requested the Territory and the administering Power to take all measures necessary to protect and conserve the environment of the Territory against any degradation, and once again requested the specialized agencies concerned to monitor environmental conditions in the Territory and to provide assistance to the Territory, consistent with their prevailing rules of procedure;

(l) Requested the Special Committee to continue to examine the question of the British Virgin Islands and to report thereon to the General Assembly at its seventy-second session and on the implementation of the present resolution.

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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Cayman Islands

Working paper prepared by the Secretariat

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Note: The information contained in the present working paper has been derived from public sources, including those of the territorial Government, and from information transmitted to the Secretary-General by the administering Power under Article 73 *e* of the Charter of the United Nations. Information was transmitted by the administering Power on 8 December 2016. Further details are contained in previous working papers, available from www.un.org/en/decolonization/workingpapers.shtml.

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The Territory at a glance

Territory: The Cayman Islands is a Non-Self-Governing Territory under the Charter of the United Nations administered by the United Kingdom of Great Britain and Northern Ireland.

Representative of administrative Power: Governor Helen Kilpatrick (September 2013)

Geography: Located some 290 km west of Jamaica and about the same distance south of Cuba, the Territory comprises three islands: Grand Cayman, Cayman Brac and the adjacent Little Cayman.

Land area: 264 km^2

Exclusive economic zone: 119,137 km^2

Population: 60,413 (male 30,264 and 30,149 female (2015 estimate))

Life expectancy at birth: 81.1 years (male 78.4 years, female 83.9 years (2015 estimate))

Ethnic composition: Afro-European (40 per cent), African (20 per cent), European (20 per cent), other (20 per cent)

Languages: English

Capital: George Town

Head of the territorial Government: Premier Alden McLaughlin (May 2013)

Main political parties: People's Progressive Movement (Progressives), Cayman Islands Democratic Party

Elections: The most recent elections were held on 22 May 2013; the next elections are due in May 2017.

Legislature: Legislative Assembly (18 elected and 2 ex officio members)

Gross domestic product per capita: CI$ 49,774 (nominal, 2015 estimate)

Economy: International financial services and tourism

Main trading partners: United States of America

Unemployment rate: 4.2 per cent (2015 estimate)

Monetary unit: Cayman dollar, pegged to the United States dollar (CI$ 1 = US$ 1.20)

Brief history: The Territory, reportedly sighted by Christopher Columbus in the late fifteenth century, was first settled by the British between 1661 and 1671. A tradition of self-government gradually grew in the Territory beginning in 1734 and a legislative assembly was established in 1831. Slavery was abolished in 1834. In 1863, the Cayman Islands became a dependency of Jamaica and, when the latter achieved independence 99 years later, the Islands remained under the British Crown.

I. Constitutional, legal and political issues

1. Under the 2009 Constitution, the Governor, appointed by the British Crown, is responsible for external affairs, defence, internal security and the appointment of persons to the civil service.

2. The Legislative Assembly consists of the Speaker, 18 elected members and 2 ex officio members, the Deputy Governor and the Attorney General. The Speaker can be either an elected member of the Assembly who is not a minister or a person qualified to be an elected member of the Assembly. The Territory's Cabinet, chaired by the Governor, is composed of the Premier, six other ministers and two ex officio members, namely, the Deputy Governor and the Attorney General. The Premier is a member of the Assembly who is recommended by the party with the majority of seats and appointed by the Governor. The six other ministers are appointed by the Governor upon the advice of the Premier from within the elected membership of the Assembly.

3. During the general elections held in May 2013, the People's Progressive Movement (Progressives) won 9 of the 18 seats in the Assembly. The United Democratic Party, now known as the Cayman Islands Democratic Party, won three seats, and the remaining six seats were won by candidates who ran as independents or as part of differing political groups. Following the election, the former Premier, Juliana O'Connor-Connolly, joined the Progressives, giving them a majority of seats to form the Government. Shortly thereafter, three other newly elected representatives, who had campaigned together as the Coalition for Cayman political group, also agreed to serve in the new Administration, thus giving the Progressives a majority of 13 seats in the Assembly. As a result, the Leader of the Progressives, Alden McLaughlin, was appointed Premier.

4. The judiciary consists of a summary court (including a youth court), a coroner's court, a grand court and a court of appeal. The Summary Court has civil and criminal jurisdiction. Appeals from the Summary Court lie to the Grand Court, which is a superior court of record and administers the common law of England and Wales. Appeals from the Grand Court lie to the Court of Appeal, composed of a president and no fewer than two judges. Further appeal lies, in certain circumstances, to the Judicial Committee of the Privy Council in London. According to the administering Power, the Territory has also developed three "problem-solving" courts to deal with offenders with drug addiction or mental health problems or those who have committed offences in a domestic context.

5. As previously reported, in 2011, the Cayman Islands Review Committee issued a report entitled "United Kingdom and Cayman Islands Relationship Review". Among the central issues raised during the consultative exercise was a desire to achieve more local autonomy, while at the same time establishing a relationship that allowed for sustained support from the United Kingdom — for instance, in case of pressure from the international financial community.

6. In addition, as previously reported, at a meeting of the Commonwealth Parliamentary Association held in Johannesburg, South Africa, in September 2013, a former Premier of the Territory stated that the Cayman Islands had no mandate for independence, nor had the question arisen publicly.

II. Budget

7. Effective 1 January 2018, the Territory is scheduled to modify its financial year cycle from July to June to January to December. The 2016/17 budget document of the Territory, which covers an 18-month period from 1 July 2016 to 31 December 2017 in order to assist in that transition, forecasts total operating revenue of CI$ 908.5 million and operating expenditure of CI$ 862.4 million. For the fiscal year 2015/16, the territorial Government estimated earning CI$ 696.1 million in total revenue (CI$ 34.9 million higher than the CI$661.2 million that was originally in the budget), while the forecasted operating and financing expenses were expected to be CI$ 567.8 million (CI$ 13.5 million higher than the original budget of CI$ 554.3 million). According to the administering Power, the territorial Government registered a surplus of CI$ 142.9 million during the 2015/16 fiscal year.

8. Since 2012, the United Kingdom and the Cayman Islands have been working together under a framework for fiscal responsibility that commits the Territory to prudent and transparent fiscal management through effective medium-term planning. According to the administering Power, the Territory complied with the required debt and cash reserve ratios specified in the framework by the deadline of 30 June 2016.

9. The Cayman Islands is a jurisdiction with no direct individual or corporate income tax. The principal sources of government revenue are import duties, financial services, licence fees, work permit fees and stamp duties. There is also an environmental tax on visitors.

10. The Cayman Islands is not eligible for territorial allocations under the eleventh European Development Fund but is eligible for non-programmed aid.

III. Economic conditions

A. General

11. The economy of the Cayman Islands is based on the provision of financial services — the dominant sector in the economy — and tourism. There are no commercial fisheries.

12. The 2015 gross domestic product was estimated at CI$ 2.6 billion, compared with CI$ 2.55 billion in 2014. The administering Power estimated that the growth of gross domestic product in 2015 was 2.0 per cent, compared with 2.4 per cent in 2014. Furthermore, according to the Cayman Islands 2016 semi-annual economic report, in the first half of 2016, the Territory's economy grew by 3.0 per cent, owing mainly to increased economic activity in construction, real estate, renting and business services.

B. Financial services

13. According to government statistics, the financial services sector accounted for 41.2 per cent of the Territory's gross domestic product in 2015.

14. According to the Cayman Islands annual economic report for 2015, the Cayman Islands remained a key conduit for international finance, ranking sixth in the world based on the value of the banking sector's international position on assets and fifth based on liabilities. Bank and trust licences declined 7.1 per cent, from 198 in 2014 to 184 in 2015. The total number of insurers fell by 48 (6.1 per cent) to 739 in 2015, owing mainly to the reduction in international insurers. The total number of company registrations in 2015 decreased by 0.6 per cent to 98,838, although the number of new company registrations increased by 7.8 per cent to 11,864.

15. In 2014, the Cayman Islands became a signatory to the Council of Europe-Organization for Economic Cooperation and Development (OECD) Convention on Mutual Administrative Assistance in Tax Matters. Furthermore, in October 2014, the Cayman Islands became one of the first signatories to the Multilateral Competent Authority Agreement on Automatic Exchange of Financial Account Information based on article 6 of the Convention, which signified its commitment to the automatic exchange of information through the OECD Common Reporting Standard. In October 2015, the Cayman Islands adopted legislation to implement the Common Reporting Standard.

16. In April 2016, the Cayman Islands concluded a bilateral arrangement with the United Kingdom on the reciprocal exchange of beneficial ownership information, which is due to come into effect by June 2017 and will allow law enforcement authorities to have near real-time access to beneficial ownership information on corporate and legal entities incorporated into the relevant jurisdictions. In the communiqué adopted at the fifth meeting of the Overseas Territories Joint Ministerial Council, held in London on 1 and 2 November 2016, the overseas territories and the United Kingdom reiterated their mutual determination to continue to tackle corruption, fraud, money-laundering and the financing of terrorism and weapons of mass destruction and to further enhance transparency and law enforcement cooperation in the context of financial services. They also reiterated their shared commitment to providing the leadership necessary to meet the June 2017 deadline for the implementation of new arrangements regarding the exchange of beneficial ownership information on companies incorporated into their jurisdictions and to continuing to provide the highest levels of law enforcement cooperation possible before that date.

C. Tourism

17. Tourism was one of the key drivers of growth of gross domestic product in 2015 and in the first half of 2016. Cayman Airways, along with other airlines, operates international services from various cities in Canada, Cuba, Honduras, Jamaica, Panama, the United States and a number of European countries. Domestic airline services and charters operate between the three islands in the Territory.

18. In 2015, overall tourist arrivals were approximately 2.1 million, an increase of 5.5 per cent compared with 2014, owing mainly to a 6.7 per cent increase in cruise arrivals, which were approximately 1.7 million. Cruise arrivals in 2015 were at their highest since 2007. In addition, stay-over arrivals increased in 2015 to some 385,400, a growth of 0.7 per cent from 2014 (some 382,800). The number of stay-over arrivals in the Territory has been on the rise since 2009, while overall arrivals

are fluctuating between 1.7 million and 2.1 million. Furthermore, according to the territorial Government, in the first six months of 2016, total tourist arrivals were nearly 1.2 million, an increase of 5.5 per cent compared with the same period in 2015. Of those tourist arrivals, air arrivals declined by 1.4 per cent, from 213,493 to 210,490, while cruise arrivals increased by 7.1 per cent, from 908,881 to 973,305.

D. Agriculture

19. In 2015, the agriculture and fishing industries contributed CI$ 10.4 million to the gross domestic product of the Territory, compared with CI$ 10.1 million in 2014, representing 0.4 per cent of total gross domestic product in 2015.

20. The Department of Agriculture continues to encourage local agricultural production through the provision of technical support, education and assistance to farmers.

E. Infrastructure

21. According to official data, the number of building permits granted in 2015 increased by 36.5 per cent, from 539 in 2014 to 736, marking the first such increase since 2009. On the other hand, as in 2014, the value of building permits declined, from CI$ 356.1 million in 2014 to CI$ 186.9 million, a drop of 47.5 per cent. A total of 990 proposed projects were approved at a value of CI$ 458.8 million in 2015, compared with 1,029 projects at a value of CI$ 411.6 million in 2014.

22. According to the administering Power, the Grand Cayman road network consists of approximately 515 travel lane km with approximately 58 km of primary arterial roads and 95 km of secondary arterial roads.

23. According to the 2016-2017 budget policy statement of 30 May 2016, the redevelopment project of Owen Roberts International Airport is expected to be completed by mid-2018, with its first phase almost complete and its second phase set to begin.

F. Telecommunications and utilities

24. Currently, four telecommunications companies provide fixed and/or mobile voice and data services and three companies provide subscription television services. There are 15 FM radio broadcasting stations in the Territory. According to the administering Power, as at 30 June 2016, the total number of fixed and mobile telephone lines had increased by 1.2 per cent to 124,113. Over the same period, the number of fixed high-speed broadband connections increased by 6 per cent to 25,613.

25. On Grand Cayman, where the Caribbean Utilities Company has a non-exclusive licence for electricity generation and an exclusive licence for its transmission and distribution, almost all power generation relies on imported diesel. In October 2015, the Electricity Regulatory Authority approved a 5 MW solar power purchase agreement between an independent power producer and the Caribbean Utilities Company to provide energy to power some 800 homes with renewable

solar energy. According to the administering Power, the project is scheduled to be completed in early 2017. Furthermore, since 2011, Grand Cayman has had a consumer-owned renewable energy generation programme, which allows consumers to generate energy from renewable sources and to be compensated through stable, long-term rates, with a current capacity limit of 6 MW, increased from 4 MW in 2016. On Cayman Brac and Little Cayman, the Cayman Brac Power and Light Company has exclusive licences that are scheduled to be renegotiated in 2017-2018. Official statistics indicate that net electricity production in 2015 increased from 604,700 MW hours to 623,700 MW hours, or 3.1 per cent, compared with 2014, while electricity consumption rose from 564,100 MW hours to 582,000 MW hours, or 3.2 per cent, compared with 2014.

26. According to official data, in 2015, water consumption in the Cayman Islands remained the same, at approximately 1.7 million gallons, while water production decreased to 1.9 million gallons, or 6.2 per cent, from 2.1 million gallons in 2014.

IV. Social conditions

A. General

27. According to information provided by the administering Power, in the fiscal year ending 30 June 2016, approximately 2,000 families received assisted from some form of welfare service.

28. According to the administering Power, to provide a more effective response to the social issues within the Territory, the Ministry of Community Affairs, Youth and Sports continues to strategically realign the services offered under its ambit, with specific focus on child safeguarding. The Needs Assessment Unit provides welfare services, inclusive of food, housing, rental and burial, to Caymanians in need. In addition, the Department of Children and Family Services manages clinical services (such as care and protection investigation, assessment and monitoring of cases that involve child abuse, foster care and adoption and custody assessments), programme services (including the provision of residential services to adults with special needs and persons with disabilities, community development and disaster preparedness), as well as services to senior citizens. In May 2016, the territorial Government established the Child Safeguarding Board, comprising relevant government agencies and persons representing non-governmental bodies, as a forum for those agencies to work together to improve the management of child protection in the Cayman Islands.

29. According to the administering Power, the Department of Counselling Services continued to enhance its services to address more effectively a broader range of emerging needs in society through, for example, community-based therapy, counselling services that were restructured to provide more effective responses to the growing number of persons in need, a newly introduced music therapy programme, parent coaching, skills-building workshops and other programmes.

B. Labour and immigration

30. According to government statistics, in 2015, the labour force numbered 40,870 persons, comprising 19,575 Caymanians (47.9 per cent of the labour force) and 21,296 non-Caymanians (52.1 per cent). Total employment in 2015 was estimated at 39,138, 3.8 per cent higher than that of the previous year. The unemployment rate among Caymanians declined from 7.9 per cent in 2014 to 6.2 per cent in 2015, while that among non-Caymanians increased from 1.5 per cent in 2014 to 2.5 per cent in 2015. The territorial Government estimated that the unemployment rate as of spring 2016 was 3.9 per cent.

31. The independent Minimum Wage Advisory Committee, appointed by Cabinet under the provisions of the Labour Law (2011), presented its final recommendations on establishing a minimum wage regime for the Cayman Islands in February 2015, which were accepted by the Government. An hourly minimum wage of CI$ 6 was established as at 1 March 2016 through the Labour (National Minimum Basic Wage) Order 2016.

32. As previously reported, the Territory's Immigration Law was amended in 2013 to effect changes, among other things, to the grant of permanent residence, the expiration of the term-limit exemption permit for key employees and the tenure of specialist caregivers.

33. Government statistics indicate that the number of work permits for non-Caymanian workers increased by 8.1 per cent, from 21,061 in 2014 to 22,756 in 2015, and that the number in the first half of 2016 increased by 8.0 per cent compared with the same period in 2015.

C. Education

34. Education is compulsory for all resident children between 5 and 16 years of age. The public education system caters to about two thirds of Caymanian children, with the remainder attending fee-paying schools. According to the administering Power, non-Caymanian children can access the public system only in exceptional circumstances. Two public and two private institutions provide tertiary education. Students from overseas territories benefit from the home student rate for school fees at British universities, provided that they have lived in a British overseas territory, the European Economic Area or Switzerland for the three years prior to the first academic year of their course of study. The European Union provides for access to, among others, horizontal European Union funds, such as those for higher education and vocational education.

D. Public health

35. Health insurance is compulsory in the Cayman Islands. The Territory's Health Services Authority is responsible for the provision of all public health care.

E. Crime and public safety

36. The 452-strong Royal Cayman Islands Police Service is headed by a commissioner, who reports to the Governor.

37. According to the official statistics provided by the territorial Government, in 2015, overall reported crime decreased by 6.7 per cent compared with the previous year, from 3,948 incidents in 2014 to 3,685 in 2015. According to the administering Power, the number of serious crimes in 2015 dropped to 860, compared with 921 in 2014, a decrease of 6.6 per cent. Burglary continues to be a persistent problem, with 767 burglaries recorded in 2015, a slight decrease from the 777 recorded in 2014.

38. In addition, there were 1,068 traffic accidents in 2015, a 10.3 per cent increase in the 968 accidents reported in 2014. The number of fatalities increased from 4 in 2014 to 12 in 2015.

39. The official statistics from the territorial Government indicates that the offences dealt with under the Youth Court in 2015 increased from 120 in 2014 to 167 in 2015. The number of juvenile convictions in 2015 rose to 64 (52 men and 12 women), compared with 40 (33 men and 7 women) in 2014.

40. The Cayman Islands Monetary Authority is the body responsible for monitoring compliance with international financial standards in the Territory and for reporting findings to the territorial Government on a regular basis. An anti-corruption commission was established under the Territory's Anti-Corruption Law (2008).

41. During 2016, the United Kingdom continued to provide funding for a law enforcement adviser based in Miami, United States, who coordinated, managed and facilitated training and the provision of strategic advice in order to introduce new techniques and skills to the Territory's law enforcement agencies. Furthermore, the HMS *Mersey* and RFA *Wave Knight* were in the Caribbean, from January to July and from July to December 2016, respectively, as part of the North Atlantic patrol tasking of the Royal Navy, ensuring a year-round maritime presence of the United Kingdom and providing humanitarian assistance, disaster relief and crisis communications support in the region. Both ships also worked with other regional navies and coast guards to combat illegal activities on the high seas. During the hurricane season, a larger Royal Navy or Royal Fleet Auxiliary ship is on standby to provide humanitarian and disaster relief support to Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Montserrat and the Turks and Caicos Islands.

F. Human rights

42. The Territory is subject to several major human rights conventions to which the administering Power has acceded, including the European Convention for the Protection of Human Rights and Fundamental Freedoms, and has a human rights commission with responsibilities that include investigating complaints. Following a formal request by the territorial Government in December 2013 to the Government of the United Kingdom, the Convention on the Elimination of All Forms of Discrimination against Women was extended to the Cayman Islands on 16 March 2016.

43. Part I of the Cayman Islands Constitution Order (2009) setting out the Bill of Rights, Freedoms and Responsibilities came into effect on 6 November 2012 with the exception of the provisions relating to the segregation of prisoners, which came into effect in November 2013. According to the administering Power, a number of claims to redress alleged human rights violations had been determined by the courts, including some claims challenging the compatibility of legislation with the Bill of Rights.

44. According to the administering Power, the Gender Equality Tribunal established pursuant to the Gender Equality Law (2011) has heard and determined seven complaints of discrimination.

45. The Cayman Islands Disability Policy 2014-2033 was developed with the vision of ensuring that persons with disabilities could live with dignity, be respected and have the opportunity to participate fully in society. According to the administering Power, the Legislative Assembly passed the Disabilities (Solomon Webster) Law on 24 October 2016 to implement parts of the Policy and to provide a further layer of protection of the civil and political rights of persons with disabilities beyond the scope provided for in the Constitution and other existing laws. In particular, the Law provides for the establishment of a national council for persons with disabilities with oversight of policy implementation and the creation of a voluntary disabilities register to improve the quantity and quality of available data on persons with disabilities in order to inform policy, legislation and services.

46. According to the administering Power, the Cayman Islands Older Persons Policy 2016-2035 was approved by Cabinet on 21 October 2016 to advance the well-being of older persons in all aspects of life, including lifelong education, family and community-based support services, autonomy and self-fulfilment, gender issues, health, employment and legal protection.

47. In the communiqué adopted at the fifth meeting of the Overseas Territories Joint Ministerial Council, the United Kingdom and the overseas territories, including the Cayman Islands, agreed to work together to conduct a review of reservations to core United Nations human rights treaties ahead of the preparation of the report of the United Kingdom under the universal periodic review conducted by the Human Rights Council, to be submitted in 2017. They also committed themselves to working together to further develop the capacity of territories' national human rights institutions, where established, in line with the international standards set out in the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles), and to deepening understanding of their shared obligations with regard to international human rights.

V. Environment and disaster preparedness

48. The Cayman Islands are included in the United Kingdom's ratification of the Convention on Biological Diversity. The Department of Environment works, along with other agencies, to ensure that the Territory's natural resources are preserved and protected. Furthermore, Hazard Management Cayman Islands, a government agency, has overall responsibility for the Territory's hazard management programme, including preparedness, response, mitigation and recovery. An annual

hurricane exercise is conducted prior to the hurricane season, which runs from 1 June to 30 November.

49. Increasing recreational and artisanal fishing in the shallow waters around the Cayman Islands continues to represent a threat to the Territory's marine environment. The National Conservation Law (2013) aims to protect and conserve endangered, threatened and endemic plants and their habitats, as well as the variety of wildlife in the Cayman Islands. The National Conservation Council was established in 2014 by the Law and to facilitate its goals. Furthermore, the Department of Agriculture collaborates with the Council to protect the agricultural sector from the introduction of invasive alien species that could have a negative impact on crop and livestock production, as well as public health and national flora and fauna, such as the Cayman blue iguana, which, until recently, had been reduced to just a few.

50. Following the adoption of the Paris Agreement at the twenty-first session of the Conference of the Parties to the United Nations Framework Convention on Climate Change in 2015, the territorial Government initiated a review of its draft national energy policy of 2013 and draft climate change policy of 2011, which were aimed at facilitating the transition to a climate-resilient, low-carbon economy.

51. In the communiqué adopted at the fifth meeting of the Overseas Territories Joint Ministerial Council, in 2016, the Government of the United Kingdom and the overseas territories recognized the impact that climate change had on the economies, infrastructure and ecosystems of the territories and the important interest of the overseas territories in international efforts to combat and mitigate the effects of climate change. The Government of the United Kingdom committed itself to consulting with territorial Governments on the issue of the application of the Paris Agreement to the territories. It reiterated its full commitment to consulting the overseas territories ahead of its participation in international forums on climate change to ensure that their priorities were taken into account and to including them in delegations, where appropriate, while welcoming the territories' links with regional and international organizations.

VI. Relations with international organizations and partners

52. The Cayman Islands is an associate member of the Economic Commission for Latin America and the Caribbean and of the United Nations Educational, Scientific and Cultural Organization and a member of the Universal Postal Union. The territory also participates in the work of the Caribbean Community (CARICOM) as an associate member and is a member of the Caribbean Development Bank and the International Olympic Committee. In October 2016, the Cayman Islands hosted, for the first time as an associate member of CARICOM, the annual Caribbean Week of Agriculture, in collaboration with the secretariat of CARICOM and the Alliance for Sustainable Development of Agriculture and the Rural Milieu.

53. As a Non-Self-Governing Territory of the United Kingdom, the Territory is associated with but not a part of the European Union. At the fifth meeting of the Overseas Territories Joint Ministerial Council, in 2016, the United Kingdom committed itself to involving Gibraltar and the overseas territories as it prepared for

negotiations to leave the European Union, in accordance with their various constitutional relationships with the United Kingdom, to ensure that their priorities were taken into account. Since January 2014, the Territory has been a partner under the 2013 Overseas Association Decision of the Council of the European Union, which was approved, among other things, in an effort to move away from a classic development cooperation approach to a reciprocal partnership that promotes sustainable development and the values and standards of the European Union in the wider world.

VII. Future status of the Territory

A. Position of the territorial Government

54. Information on the position of the territorial Government regarding the future status of the Cayman Islands is reflected in section I above.

B. Position of the administering Power

55. At the 7th meeting of the Fourth Committee, on 10 October 2016, during the seventy-first session of the General Assembly, the representative of the United Kingdom stated that the relationship of the Government of the United Kingdom with its overseas territories was a modern one based on partnership, shared values and the right of the people of each Territory to choose to remain British.

56. He went on to say that, since the publication in June 2012 by the Government of the United Kingdom of a white paper entitled *The Overseas Territories: Security, Success and Sustainability*, his Government had worked closely with the overseas territories to further develop those partnerships. At annual meetings of the Overseas Territories Joint Ministerial Council, the United Kingdom and the territories reviewed strategy and commitments and, in 2015, the United Kingdom had affirmed its commitment to the advancement of the peoples of the territories, their just treatment and protecting them from abuses and the importance of promoting their right to self-determination. His Government's fundamental responsibility was to ensure the security and good governance of the territories and their peoples.

57. In the communiqué adopted at the fifth meeting of the Overseas Territories Joint Ministerial Council, the Government of the United Kingdom and the leaders of the overseas territories stated that the principle of equal rights and self-determination of peoples, as enshrined in the Charter of the United Nations, applied to the peoples of the overseas territories. They reaffirmed the importance of promoting the right of the peoples of the territories to self-determination, a collective responsibility of all parts of the Government of the United Kingdom. They committed themselves to exploring ways in which the overseas territories could maintain international support in countering hostile sovereignty claims. It was also stated that, should a Territory with a permanent population wish it, the United Kingdom would continue to support its request to be removed from the list of Non-Self-Governing Territories. They agreed that the fundamental structure of their constitutional relationships was the right one — powers were devolved to the elected Governments of the territories to the maximum extent possible consistent with the United Kingdom's retaining those

powers necessary to discharge its sovereign responsibilities. They also agreed upon the need to continue their engagement on those issues to ensure that constitutional arrangements worked effectively to promote the best interests of the territories and of the United Kingdom.

VIII. Action taken by the General Assembly

58. On 6 December 2016, the General Assembly adopted resolution 71/112 on the question of the Cayman Islands without a vote, on the basis of the report of the Special Committee (A/71/23) and the subsequent recommendation by the Fourth Committee. In that resolution, the General Assembly:

(a) Reaffirmed the inalienable right of the people of the Cayman Islands to self-determination, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

(b) Also reaffirmed that, in the process of decolonization of the Cayman Islands, there was no alternative to the principle of self-determination, which is also a fundamental human right, as recognized under the relevant human rights conventions;

(c) Further reaffirmed that it was ultimately for the people of the Cayman Islands to determine freely their future political status, in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that connection called upon the administering Power, in cooperation with the territorial Government and appropriate bodies of the United Nations system, to develop political education programmes for the Territory in order to foster an awareness among the people of their right to self-determination in conformity with the legitimate political status options, based on the principles clearly defined in Assembly resolution 1541 (XV) and other relevant resolutions and decisions;

(d) Recalled the 2009 Constitution of the Cayman Islands, and stressed the importance of the work of the Constitutional Commission, including its work on human rights education;

(e) Requested the administering Power to assist the Territory by facilitating its work concerning public awareness outreach efforts, consistent with Article 73 *b* of the Charter, and in that regard called upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

(f) Welcomed the active participation of the Territory in the work of the Economic Commission for Latin America and the Caribbean;

(g) Stressed the importance of the Special Committee being apprised of the views and wishes of the people of the Cayman Islands and enhancing its understanding of their conditions, including the nature and scope of the existing political and constitutional arrangements between the Cayman Islands and the administering Power;

(h) Called upon the administering Power to participate in and cooperate fully with the work of the Special Committee in order to implement the provisions of Article 73 *e* of the Charter and the Declaration and in order to advise the Committee on the implementation of the provisions under Article 73 *b* of the Charter on efforts to promote self-government in the Cayman Islands, and encouraged the administering Power to facilitate visiting and special missions to the Territory;

(i) Reaffirmed the responsibility of the administering Power under the Charter to promote the economic and social development and preserve the cultural identity of the Territory, and requested the administering Power to take steps to enlist and make effective use of all possible assistance, on both a bilateral and a multilateral basis, in the strengthening of the economy of the Territory;

(j) Took into account the 2030 Agenda for Sustainable Development, including the Sustainable Development Goals, stressed the importance of fostering the economic and social sustainable development of the Territory by promoting sustained, inclusive and equitable economic growth, creating greater opportunities for all, reducing inequalities, raising basic standards of living, fostering equitable social development and inclusion and promoting the integrated and sustainable management of natural resources and ecosystems that supported, inter alia, economic, social and human development, while facilitating ecosystem conservation, regeneration, restoration and resilience in the face of new and emerging challenges, and strongly urged the administering Power to refrain from undertaking any kind of illicit, harmful and unproductive activities, including the use of the Territory as a tax haven, that were not aligned with the interest of the people of the Territory;

(k) Requested the Territory and the administering Power to take all measures necessary to protect and conserve the environment of the Territory against any degradation, and once again requested the specialized agencies concerned to monitor environmental conditions in the Territory and to provide assistance to the Territory, consistent with their prevailing rules of procedure;

(l) Requested the Special Committee to continue to examine the question of the Cayman Islands and to report thereon to the General Assembly at its seventy-second session and on the implementation of the present resolution.